101ST CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
101-584

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS BILL, 1991

JULY 10, 1990.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. LEHMAN of Florida, from the Committee on Appropriations, submitted the following

REPORT

[To accompany H.R. 5229]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1991.

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Summary of the Bill

The accompanying bill would provide $13,088,092,569 in new budget (obligational) authority for the programs of the Department of Transportation and related agencies, an increase of $1,209,821,000 over the $11,878,271,569 requested in the budget.

The bill assumes that a total of $160,000,000 will be provided for the Coast Guard in the Department of Defense Appropriations Act, 1991. This amount compares with $300,000,000 provided by the Department of Defense Appropriations Act, 1990, of which $160,000,000 is new budget authority and $140,000,000 is "in kind" commodities and services.

The Committee has also recommended limitations on obligations for a number of programs which are, for the most part, financed by multi-year contract authority in legislative acts. The total of the limitations on obligations for these programs is $17,697,597,000. This is an increase of $2,725,524,000 over the levels enacted for fiscal year 1990, and $2,848,500,000 more than the levels requested in the budget.

The total recommended obligational authority (new budget authority plus limitations on obligations) combined with funds to be provided in the Department of Defense Appropriations Act, 1991, amounts to $30,945,689,569. This is $4,218,321,000 more than the budget request and $2,777,310,000 more than comparable fiscal year 1990 enacted levels.

Bill Highlights

The Committee recommendations focus primarily on improving our transportation infrastructure, particularly our nation's highway system, which accounts for nearly 90 percent of domestic passenger miles traveled. The bill would continue the rapid growth in funding for the Federal Aviation Administration by providing an increase over fiscal year 1990 of $1,055,676,000, which, when combined with prior year increases, represents an increase of 160 percent since fiscal year 1982. The Committee is also recommending a reversal of the 6-year trend in lower federal financial support for mass transit, continuation of federal grants to Amtrak, and an expansion of the Coast Guard's drug interdiction and oil spill response capabilities.

Selected major recommendations are:

(1) A provision providing for obligations of not to exceed $14,500,000,000 for federal-aid highways, an increase of

$2,290,000,000, or 18.8 percent, over the fiscal year 1990 limitation;

(2) A total of $4,037,000,000 for operations of the Federal Aviation Administration, an increase of $203,425,000 over the fiscal year 1990 level;

(3) The appropriation of $2,138,615,000 for facilities and equipment of the Federal Aviation Administration, an increase of $417,444,000, or 24 percent, over the fiscal year 1990 appropriation;

(4) A provision providing for obligations of not to exceed $1,800,000,000 for airport development and planning grants, an increase of $375,000,000 over the fiscal year 1990 limitation;

(5) The appropriation of $2,192,000,000 for operating expenses of the Coast Guard;

(6) A continuation of funding for the existing urban mass transportation formula grant program at a level of $1,790,000,000 (including $100,000,000 in section 9(B) funds), an increase of $100,085,000 over the fiscal year 1990 level;

(7) The appropriation of $482,000,000 for grants to the National Railroad Passenger Corporation (Amtrak);

(8) The appropriation of $150,000,000 for payments on behalf of Amtrak for non-Amtrak related expenses to the Railroad Retirement Trust Fund ($133,000,000) and the Railroad Unemployment Insurance Account ($17,000,000);

(9) A provision providing for obligations of not to exceed $1,100,000,000 for the discretionary grants program of the Urban Mass Transportation Administration, excluding funding for section 9(B) formula grants;

(10) The appropriation of $195,000,000 for the research, engineering, and development activities of the Federal Aviation Administration;

(11) An appropriation of $108,000,000 for construction of the Washington, DC metrorail system; and

(12) A provision that prevents any DOT enforcement proceeding to reduce or reserve any portion of a state's Federal-aid highway construction apportionment because of non-compliance with the 55 mph national maximum speed limit law in fiscal year 1989.

Tabular Summary

The following table summarizes the amounts provided for fiscal year 1990 as well as the amounts recommended in the bill for fiscal year 1991 in comparison with the budget estimates:

COMPARATIVE STATEMENT OF TOTAL OBLIGATIONAL AUTHORITY

	Fiscal year 1990 enacted	Fiscal year 1991 estimates	Recommended in the bill	Bill compared with fiscal year 1991 estimates
TITLE I—DEPARTMENT OF TRANSPORTATION				
Office of the Secretary:				
New budget (obligational) authority	$97,027,000	$102,745,000	$188,901,000	+$86,156,000
Limitations on obligations				
Subtotal	97,027,000	102,745,000	188,901,000	+86,156,000
Coast Guard:				
New budget (obligational) authority	[1] 3,199,526,000	3,393,472,000	[2] 3,340,647,000	−52,825,000
Limitations on obligations				
Subtotal	[1] 3,199,526,000	3,393,472,000	[2] 3,340,647,000	−52,825,000
Federal Aviation Administration:				
New budget (obligational) authority	5,689,939,000	6,777,700,000	6,370,615,000	−407,085,000
Limitations on obligations	1,425,000,000	1,500,000,000	1,800,000,000	+300,000,000
Subtotal	7,114,939,000	8,277,700,000	8,170,615,000	−107,085,000
Federal Highway Administration:				
New budget (obligational) authority	1,280,414,000	45,719,000	289,300,000	+243,581,000
Limitations on obligations	12,279,396,000	12,083,000,000	14,571,500,000	+2,488,500,000
Subtotal	13,559,810,000	12,128,719,000	14,860,800,000	+2,732,081,000
National Highway Traffic Safety Administration:				
New budget (obligational) authority	105,096,000	117,326,000	109,036,000	−8,290,000
Limitations on obligations	130,622,000	125,622,000	125,622,000	
Subtotal	235,718,000	242,948,000	234,658,000	−8,290,000
Federal Railroad Administration:				
New budget (obligational) authority	706,724,000	69,579,000	736,514,000	+666,935,000
Limitations on obligations				
Subtotal	706,724,000	69,579,000	736,514,000	+666,935,000
Urban Mass Transportation Administration:				
New budget (obligational) authority	1,911,154,000	1,160,202,000	2,003,770,000	+843,568,000
Limitations on obligations	1,136,580,000	1,140,000,000	1,200,000,000	+60,000,000
Subtotal	3,047,734,000	2,300,202,000	3,203,770,000	+903,568,000
Saint Lawrence Seaway Development Corporation:				
New budget (obligational) authority	11,375,000	10,749,000	10,500,000	−249,000
Limitations on obligations				
Subtotal	11,375,000	10,749,000	10,500,000	−249,000
Research and Special Programs Administration:				
New budget (obligational) authority	27,317,000	27,523,000	26,667,000	−856,000
Limitations on obligations				
Subtotal	27,317,000	27,523,000	26,667,000	−856,000
Office of the Inspector General:				
New budget (obligational) authority	31,678,000	33,987,000	30,970,000	−3,017,000
Limitations on obligations				
Subtotal	31,678,000	33,987,000	30,970,000	−3,017,000
Title I—Department of Transportation:				
Total new budget (obligational) authority	[1] 13,060,250,000	11,739,002,000	[2] 13,106,920,000	+1,367,918,000
Total limitations on obligations	14,971,598,000	14,848,622,000	17,697,122,000	+2,848,500,000
Subtotal, obligational authority	[1] 28,031,848,000	26,587,624,000	[2] 30,804,042,000	+4,216,418,000

COMPARATIVE STATEMENT OF TOTAL OBLIGATIONAL AUTHORITY—Continued

	Fiscal year 1990 enacted	Fiscal year 1991 estimates	Recommended in the bill	Bill compared with fiscal year 1991 estimates
TITLE II—RELATED AGENCIES				
Architectural and Transportation Barriers Compliance Board:				
New budget (obligational) authority	1,936,000	2,100,000	2,700,000	+600,000
Limitations on obligations				
Subtotal	1,936,000	2,100,000	2,700,000	+600,000
Commission on Aviation Security and Terrorism:				
New budget (obligational) authority	1,000,000			
Limitations on obligations				
Subtotal	1,000,000			
National Transportation Safety Board:				
New budget (obligational) authority	27,232,000	30,940,000	30,940,000	
Limitations on obligations				
Subtotal	27,232,000	30,940,000	30,940,000	
Interstate Commerce Commission:				
New budget (obligational) authority	44,205,000	43,777,000	45,369,000	+1,592,000
Limitations on obligations	475,000	475,000	475,000	
Subtotal	44,680,000	44,252,000	45,844,000	+1,592,000
Department of the Treasury, Rebate of Saint Lawrence Seaway tolls:				
New budget (obligational) authority	10,020,000	10,789,000	10,500,000	−289,000
Limitations on obligations				
Subtotal	10,020,000	10,789,000	10,500,000	−289,000
Washington Metropolitan Area Transit Authority:				
New budget (obligational) authority	51,663,569	51,663,569	51,663,569	
Limitations on obligations				
Subtotal	51,663,569	51,663,569	51,663,569	
Title II—Related Agencies:				
Total new budget (obligational) authority	136,056,569	139,269,569	141,172,569	+1,903,000
Total limitations on obligations	475,000	475,000	475,000	
Subtotal, obligational authority	136,531,569	139,744,569	141,647,569	+1,903,000
Department of Transportation and Related Agencies:				
Total new budget (obligational) authority	[1] 13,196,306,569	11,878,271,569	[2] 13,248,092,569	+1,369,821,000
Total limitations on obligations	14,972,073,000	14,849,097,000	17,697,597,000	+2,848,500,000
Total, obligational authority	[1] 28,168,379,569	26,727,368,569	[2] 30,945,689,569	+4,218,321,000

[1] Includes additional $300,000,000 provided by the Department of Defense Appropriations Act, 1990.
[2] Includes additional $160,000,000 to be provided in the Department of Defense Appropriations Act, 1991.

COMMITTEE HEARINGS

The Committee has conducted extensive hearings on the programs and projects provided for in the Department of Transportation and Related Agencies Appropriations Bill for fiscal year 1991. These hearings are contained in seven published volumes totaling

7,295 pages. The Committee received testimony from officials of the executive branch, Members of Congress, officials of the General Accounting Office, state and local government officials, and private citizens.

The bill recommendations for fiscal year 1991 have been developed after careful consideration of all the information available to the Committee.

Program, Project, and Activity

During fiscal year 1991, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177), as amended, with respect to appropriations contained in the accompanying bill, the terms "program, project, and activity" shall mean any item for which a dollar amount is contained in appropriations Acts (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided, as well as to discretionary grants, Urban Mass Transportation Administration, and interstate transfer grants-highways, Federal Highway Administration. In addition, the percentage reductions made pursuant to a sequestration order to funds appropriated for facilities and equipment, Federal Aviation Administration, and for acquisition, construction, and improvements, Coast Guard, shall be applied equally to each "budget item" that is listed under said accounts in the budget justifications submitted to the House and Senate Committees on Appropriations as modified by subsequent appropriations Acts and accompanying committee reports, conference reports, or joint explanatory statements of the committee of conference.

TITLE I—DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

Salaries and Expenses

Appropriation, fiscal year 1990	[1] ($55,195,000)
Budget estimate, fiscal year 1991	(60,135,000)
Recommended in the bill	[1] (52,856,000)
Bill compared with:	
Appropriation, fiscal year 1990	(−2,339,000)
Budget estimate, fiscal year 1991	(−7,279,000)

[1] Total amount appropriated as separate accounts.

The bill provides a total program level of $52,856,000 for the salaries and expenses of the various offices comprising the Office of the Secretary. Consistent with past years, the Committee has not approved the requested merger of these separate salaries and expenses appropriations. Specific program recommendations are discussed in this report under the individual appropriations accounts.

TRANSFER AUTHORITY

The bill continues the general provision (Sec. 321) enacted in fiscal year 1990 which allows the Secretary to transfer funds between Office of the Secretary appropriations up to a maximum of 5 percent of the total amount provided to each office.

IMMEDIATE OFFICE OF THE SECRETARY

Appropriation, fiscal year 1990	$1,090,000
Budget estimate, fiscal year 1991	[1] 1,311,000
Recommended in the bill	1,215,000
Bill compared with:	
Appropriation, fiscal year 1990	+125,000
Budget estimate, fiscal year 1991	−96,000

[1] Proposed for consolidation into a single salaries and expenses account.

The Immediate Office of the Secretary has the primary responsibility to provide overall planning, direction, and control of departmental affairs. The Committee recommends an appropriation of $1,215,000 for this office, consisting of $1,150,000 for personnel compensation and benefits to support 14 staff years, and $65,000 for other costs. The reduction from the budget request would hold travel expenses to the enacted fiscal year 1990 level.

INTERCITY BUS SERVICE

Intercity bus service plays a vital role in our nation's transportation system, particularly for rural communities. The Committee urges the Secretary to monitor closely current events affecting intercity bus service. The Committee also urges the Secretary, in cooperation with the Interstate Commerce Commission, to review current transportation policies and to define the appropriate federal role to preserve intercity bus service for small and medium-sized communities.

PERMANENT CHANGE OF STATION (PCS) COSTS

The Committee recommends total reductions of $5,800,000 to account for needed changes in the Department's permanent change of station (PCS) relocation assistance program. In a recent audit, the Department of Transportation Inspector General found an estimated $9,000,000 in unnecessary costs in this program. These costs were being incurred because the Department was not requiring employees to attempt to sell their homes before requesting relocation assistance. In many cases, activity in the local real estate market was sufficient to sell those homes in a short period of time without contract assistance through the PCS relocation program. In hearings this year, the Inspector General stated the following:

> We concluded that if we gave people better notice on the PCS, if we gave them at least sixty days notice, and required them to go to a local real estate firm that would charge six percent in those markets where you had a good market condition and you could sell the house, we would not have to turn it over to the contractor. When it is turned over to the contractor, those costs can be as much as 35 percent, depending on how long they have to hold that house.

The Committee directs the Department to make the changes recommended by the Inspector General, and in anticipation of those changes has made reductions of $2,000,000 in the Coast Guard,

$3,600,000 in the Federal Aviation Administration, and $100,000 in the National Highway Traffic Safety Administration and the Federal Highway Administration. The Committee believes that even further savings are possible from these changes, and expects future budget requests to reflect those reduced costs.

The Committee notes that even with these reductions, the bill includes $141,712,000 for PCS costs in fiscal year 1991, a 6.3 percent increase over the level provided in fiscal year 1990. This total includes increases for both the Coast Guard and the Federal Aviation Administration.

MAJOR ACQUISITION PROCESS

The Committee remains deeply concerned over continuing problems with major acquisitions within the Department of Transportation. In the Inspector General's Semiannual Report to the Congress dated October 31, 1989, major acquisition was cited as a "major issue requiring management attention". Over the past two years, 17 audit reports by the Office of the Inspector General (IG) and the General Accounting Office have revealed weaknesses in the Department's acquisition programs. According to the IG, "both FAA and the Coast Guard need to provide top management oversight in requirements determination, acquisition planning, specifications development, contract award, preproduction testing, contract modifications, and contract administration". The Committee's hearings on the fiscal year 1991 budget showed that many of these problems continue with little apparent improvement over past years.

Major systems acquisitions are defined by DOT Order 4200.14C as those projects with estimated total research and development costs of at least $50,000,000 or total acquisition costs of at least $150,000,000. Office of Management and Budget Circular A-109 provides requirements for management and senior level oversight for such projects, including specific executive-level approvals at key decision points within the program. It is expected that a program's operational requirements, cost and schedule estimates, and acquisition strategy will be initially developed according to an approved set of data requirements, and that subsequent changes to those program baselines will be reviewed and acted upon at the recurring program reviews required by OMB Circular A-109. Except in rare cases, the President's budget estimates should be consistent with the most current OST-approved program, and the budget structure itself should be, to the maximum extent possible, aligned to the management review process, to ensure a linkage between program and funding decisions. If this budget and management review process is sound, then weaknesses such as those described in the IG's report would be lessened due to the rigorous scrutiny which the process requires. While the modal administrations have the responsibility to develop and approve sound preliminary plans, it is ultimately the responsibility of the Office of the Secretary to provide leadership and strong management oversight in this area.

In light of these continuing problems, the Committee has initiated an internal, comprehensive review of the Department's major acquisition process. The results of that review, as well as any improvements made in this area over the next year, will be used as

the Committee considers the Department's fiscal year 1992 budget request next year. The Office of Inspector General is requested to continue making acquisition a top priority for their fiscal year 1991 work plan.

MULTIYEAR PROCUREMENT

In its review this year, the Committee has encountered several cases, most prominently in the Federal Aviation Administration, where funding is requested in fiscal year 1991 for the procurement of equipment under existing contract options. In these cases, a contract was previously signed covering several years of appropriations which included negotiated prices and a negotiated allocation of funds schedule. Under such contract options, funds in certain amounts are required to be paid to the contractor on or before certain calendar dates, subject to the availability of appropriations.

The Committee recognizes that multiyear procurement *can* result in more efficient buying practices and substantially reduced prices to the government. However, to sign multiyear contracts in advance of Congressional approval forecloses appropriate Congressional review and undermines the Committee's ability to conduct oversight of funding requests. In addition, agreeing to make contract payments on a certain calendar date—instead of after meeting certain measures of program performance—is not in the best interest of the Federal Government, since it does not protect the government's ability to reallocate funding among programs based upon schedule delays and other programmatic changes. In essence, the government is "locked in" to making payments to a prime contractor even when manufacturing or other schedule delays make such payments unnecessary.

The Committee believes that these types of multiyear contracts should only be executed after prior Congressional approval, and that allocation of payment schedules in those contracts should not be tied to calendar dates, but instead to the delivery of at least fifty percent of all units previously ordered under that contract. These measures are designed to prevent large manufacturing backlogs from continuing to develop, and to prevent the Federal Government from making budget requests and ultimately contract payments in advance of when those funds are needed. The Committee therefore recommends a general provision (Sec. 332) which establishes such restrictions for new contracts. It should be noted that the recommended provision only applies to major acquisitions, and only applies to the procurement of end items, not development or non-recurring engineering activities. It should also be noted that restrictions on multiyear contract authority, including prior Congressional approval, have been in effect in other departments (most notably the Department of Defense) since at least 1982. The Department of Transportation is expected to ensure that, in the future, contract line items and work breakdown structures are established in such a fashion that adherence to this provision can be monitored and verified.

Beginning with submission of the fiscal year 1992 budget, the Department is directed to submit a detailed justification for each proposed use of multiyear authority as defined and restricted by this

Act. Without such justifications, the data necessary to provide the legislative approvals required by these provisions would not be available, and therefore, multiyear authority could not be exercised. The Department should consult with the Department of Defense in developing the format for those justification documents.

UNDEFINITIZED CONTRACT ACTIONS

The Committee believes that the use of undefinitized contract actions (UCAs) in the Department of Transportation is excessive and needs to be substantially reduced. The Inspector General has recently reported that contracts in both the FAA and the Coast Guard were not being definitized in a timely fashion. This is resulting in excessive and unnecessary costs to the government. As explained by the Inspector General:

> Definitization is where the contractor and the government come to an agreement as to what the price of that work is going to be. It is important to do it quickly because if you let the contractor continue to work, you have given him a task to do but you have not given him a price as to how much you are willing to pay and how much he is willing to charge, and he continues to incur costs. Historically, contractors are reimbursed for costs they incur plus a reasonable profit. So, until you definitize that contract, the contractor really has no incentive to minimize the costs that he is going to incur on the work. That is why it is important to do it quickly.

Federal acquisition regulations define "timeliness" as within the shortest practical time. In practice, longer than six months is usually considered excessive. In one example cited by the IG, modifications to the FAA's systems engineering and integration contract took one to three years to be approved, and during that time the contractor was allowed to incur costs for those activities. As is typically the case, this placed the government in a weak contract negotiating position. Costs for these modifications ultimately exceeded the government's estimate for that work by $91,000,000. In the Coast Guard, modifications to the 270-foot cutter program took up to six years to negotiate, resulting in excess costs of $13,000,000. According to the IG, delays in definitizing contracts have been a problem for some time within the Department. A 1987 survey showed over $450,000,000 in outstanding unpriced orders. The Committee's information shows that the FAA alone currently has over $140,000,000 in unpriced orders which have been undefinitized for over six months.

Because of these continuing problems, the Secretary of Transportation is directed to submit by March 1, 1991, a complete listing of undefinitized contract actions (including letter contracts and basic ordering agreements) by modal administration. The list should be rank ordered according to the length of time the contract action has been undefinitized. In addition, the report should provide a plan of action and schedule for reducing UCAs, as well as development of a database for monitoring them.

DRUG TESTING

Drug testing is being implemented throughout the Department as well as in safety-sensitive areas of transportation industries. The Committee is concerned, however, by reports of efforts to make adjustments in certain aspects of the program, including the review of all laboratory drug testing results by qualified Medical Review

Officers. It would seem more appropriate to conduct a broader assessment of the drug testing program after it has been fully implemented for a more significant period of time, rather than to make piecemeal changes. The Committee, therefore, urges the Secretary to refrain from making any partial changes and to consult with the Committee on an appropriate timetable for formal review of the drug testing program.

Immediate Office of the Deputy Secretary

Appropriation, fiscal year 1990	$470,000
Budget estimate, fiscal year 1991	[1] 487,000
Recommended in the bill	412,000
Bill compared with:	
Appropriation, fiscal year 1990	-58,000
Budget estimate, fiscal year 1991	-75,000

[1] Proposed for consolidation into a single salaries and expenses account.

The Immediate Office of the Deputy Secretary has the primary responsibility to assist the Secretary in the overall planning, direction and control of departmental affairs. The Committee recommends an appropriation of $412,000 for this office, consisting of $378,000 for personnel compensation and benefits to support 9 staff years, and $34,000 for other costs. The reduction from the budget request would hold staffing at the fiscal year 1990 level due to lack of justification. The budget proposed an additional staff year for "special assignments" within this office.

Office of the General Counsel

Appropriation, fiscal year 1990	$6,120,000
Budget estimate, fiscal year 1991	[1] 6,500,000
Recommended in the bill	6,420,000
Bill compared with:	
Appropriation, fiscal year 1990	+300,000
Budget estimate, fiscal year 1991	−80,000

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of the General Counsel provides legal services to the Office of the Secretary and coordinates and reviews the legal work of the chief counsels' offices of the operating administrations.

The Committee recommends an appropriation of $6,420,000 for this office, consisting of $6,335,000 for personnel compensation and benefits to support 100 staff years, and $85,000 for other costs. The reduction from the budget request would hold staffing to the enacted fiscal year 1990 level.

Office of the Assistant Secretary for Policy and International Affairs

Appropriation, fiscal year 1990	$8,250,000
Budget estimate, fiscal year 1991	[1] 10,061,000
Recommended in the bill	8,810,000
Bill compared with:	
Appropriation, fiscal year 1990	+560,000
Budget estimate, fiscal year 1991	−1,251,000

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of the Assistant Secretary for Policy and International Affairs is responsible for developing and reviewing policies and

plans for domestic and international transportation. The Committee recommends an appropriation of $8,810,000 for this office, consisting of $8,683,000 for personnel compensation and benefits to support 159 staff years, and $127,000 for other costs. The Committee has not approved the request to merge 18 staff years into this office from the Office of Essential Air Service.

AVIATION SECURITY

The Committee directs the Department of Transportation to conduct a study to follow up on the earlier analysis done by the Department on the impact of levels of security required of U.S. carriers on international flights have had on the competitive market share of the U.S. and foreign carriers international traffic. The Secretary, in conducting the study, shall evaluate the traffic data from foreign and domestic carriers for the last 3 years on all traffic to and from the United States by fare levels in first class, business class and coach class. A determination should be made as to which "fare class" categories of traffic on U.S. carriers have increased or decreased and what the resulting comparative load factors are, on a "revenue per available-seat-mile" basis, for foreign and domestic carriers. The Secretary shall report the results of the study to the Committee by December 31, 1990.

OFFICE OF THE ASSISTANT SECRETARY FOR BUDGET AND PROGRAMS

Appropriation, fiscal year 1990	$2,325,000
Budget estimate, fiscal year 1991	[1] 2,400,000
Recommended in the bill	2,390,000
Bill compared with:	
Appropriation, fiscal year 1990	+65,000
Budget estimate, fiscal year 1991	−10,000

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of the Assistant Secretary for Budget and Programs is responsible for developing, reviewing, and presenting budget resource requirements for the Department to the Secretary, Congress, and OMB.

The Committee recommends an appropriation of $2,390,000 for this office, consisting of $2,342,000 for personnel compensation and benefits to support 36 staff years, and $48,000 for other costs. The reduction from the budget request would hold reception and representation expenses to the fiscal year 1990 level, which was already increased over the level provided in fiscal year 1989.

OFFICE OF THE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS

Appropriation, fiscal year 1990	$2,300,000
Budget estimate, fiscal year 1991	[1] 2,255,000
Recommended in the bill	2,255,000
Bill compared with:	
Appropriation, fiscal year 1990	−45,000
Budget estimate, fiscal year 1991	.....

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of the Assistant Secretary for Governmental Affairs is responsible for coordinating all Congressional, intergovernmental, and consumer activities of the Department.

The Committee recommends an appropriation of $2,255,000 for this office, consisting of $2,225,000 for personnel compensation and benefits to support 42 staff years, and $30,000 for other costs. This represents no change to the budget request.

Office of the Assistant Secretary for Administration

Appropriation, fiscal year 1990	$24,700,000
Budget estimate, fiscal year 1991	[1] 29,488,000
Recommended in the bill	21,745,000
Bill compared with:	
Appropriation, fiscal year 1990	−2,955,000
Budget estimate, fiscal year 1991	−7,743,000

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of the Assistant Secretary for Administration is responsible for coordinating, overseeing or conducting various accounting, procurement, personnel management, and ADP operations of the Department.

The Committee recommends an appropriation of $21,745,000 for this office, consisting of $10,428,000 for personnel compensation and benefits to support 170 staff years, and $11,317,000 for other costs. Changes to the budget request are as follows:

Allow two new FTEs instead of four	−$150,000
Hold supplies to fiscal year 1990 level	−77,000
Hold training to fiscal year 1990 level	−155,000
Hold travel to fiscal year 1990 level	−5,000
Office automation reduction	−1,004,000
Rental payment consolidation	−6,352,000
Total	−7,743,000

Office of the Assistant Secretary for Public Affairs

Appropriation, fiscal year 1990	$1,350,000
Budget estimate, fiscal year 1991	[1] 1,389,000
Recommended in the bill	1,389,000
Bill compared with:	
Appropriation, fiscal year 1990	+39,000
Budget estimate, fiscal year 1991	.....

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of the Assistant Secretary for Public Affairs is responsible for news releases, articles, fact sheets, briefing materials, publications, and audio-visual materials of the Department.

The Committee recommends an appropriation of $1,389,000 for this office, consisting of $1,341,000 for personnel compensation and benefits to support 25 staff years, and $48,000 for other costs. This represents no change to the budget request.

Executive Secretariat

Appropriation, fiscal year 1990	$835,000
Budget estimate, fiscal year 1991	[1] 918,000
Recommended in the bill	918,000
Bill compared with:	
Appropriation, fiscal year 1990	+83,000
Budget estimate, fiscal year 1991	.....

[1] Proposed for consolidation into a single salaries and expenses account.

The Executive Secretariat assists the Secretary and Deputy Secretary in carrying out their management functions and responsibilities by controlling and coordinating internal and external written materials.

The Committee recommends an appropriation of $918,000 for this office, consisting of $912,000 for personnel compensation and benefits to support 20 staff years, and $6,000 for other costs. This represents no change to the budget request.

Contract Appeals Board

Appropriation, fiscal year 1990	$488,000
Budget estimate, fiscal year 1991	[1] 508,000
Recommended in the bill	508,000
Bill compared with:	
Appropriation, fiscal year 1990	+20,000
Budget estimate, fiscal year 1991	.....

[1] Proposed for consolidation into a single salaries and expenses account.

The Contract Appeals Board provides an independent forum for considering all contract-related claims by or against a contractor involving any element of the Department.

The Committee recommends an appropriation of $508,000 for this office, consisting of $481,000 for personnel compensation and benefits to support 6 staff years, and $27,000 for other costs. This represents no change to the budget request.

Office of Civil Rights

Appropriation, fiscal year 1990	$1,315,000
Budget estimate, fiscal year 1991	[1] 1,353,000
Recommended in the bill	1,353,000
Bill compared with:	
Appropriation, fiscal year 1990	+38,000
Budget estimate, fiscal year 1991	.....

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of Civil Rights is responsible for advising the Secretary on civil rights and equal opportunity matters.

The Committee recommends an appropriation of $1,353,000 for this office, consisting of $1,312,000 for personnel compensation and benefits to support 21 staff years, and $41,000 for other costs.

Office of Commercial Space Transportation

Appropriation, fiscal year 1990	$725,000
Budget estimate, fiscal year 1991	([1])
Recommended in the bill	725,000
Bill compared with:	
Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	+725,000

[1] Proposed for funding in a single account entitled "Office of Commercial Space Transportation—Operations and Research".

The Office of Commercial Space Transportation is responsible for licensing and regulating commercial space launches by the United States private sector.

The Committee recommends an appropriation of $725,000 for this office, consisting of $685,000 for personnel compensation and benefits to support 13 staff years, and $40,000 for other costs. (The rec-

ommendation for "Transportation Planning, Research and Development" includes an additional $1,830,000 to support 10 staff years and contract studies for this office. In total, this provides the same staffing level for the Office of Commercial Space Transportation as in fiscal year 1990.)

STAFFING REQUIREMENTS

The Committee is concerned that staffing requirements for the Office of Commercial Space Transportation may not be based on realistic estimates of workload. The requested staffing for this office assumes that as many as forty commercial space launches will occur during fiscal year 1991, a rate of over three per month. However, while the Department estimated last year that ten to fifteen launches would occur in fiscal year 1990, only three had taken place in the first seven months, and OST's revised estimate sees a total of only eight by the end of the fiscal year. Moreover, only two launches occurred in fiscal year 1989. It seems highly unlikely that a launch rate increase from two per year to more than three per month will be achieved in only two years. The Committee requests the Department to look more closely at its projections of space launch activity in preparation of future budget requests, and to base those requests on realistic assumptions of launch rate increases.

USER FEES

The Office of Commercial Space Transportation is currently studying various options for implementing a space launch user fee program, and the Department has assumed $200,000 in user fee reimbursements in fiscal year 1991. However, given the current makeup of the U.S. space launch industry, the Committee believes that the Department is not moving aggressively enough to institute space launch user fees. Therefore, the Committee directs the Department to submit by January 15, 1991 a comprehensive report on the potential for cost recovery of OST's commercial space licensing and related activities through a user fee program. This report should address the ability of the industry to pay such fees, a proposed user fee structure, and an assessment of the feasibility of recovering all costs of this office through user fees.

In anticipation of a more ambitious cost recovery through user fees, the Committee's recommendation makes reductions which assume $400,000 in user fees in fiscal year 1991, and includes bill language which allows those user fees to be credited to the TPR&D appropriation for the Office of Commercial Space Transportation.

Office of Essential Air Service

Appropriation, fiscal year 1990	$1,727,000
Budget estimate, fiscal year 1991	[1]
Recommended in the bill	1,251,000
Bill compared with:	
Appropriation, fiscal year 1990	−476,000
Budget estimate, fiscal year 1991	+1,251,000

[1] Proposed for consolidation into the Office of the Assistant Secretary for Policy and International Affairs.

The Office of Essential Air Service is responsible for administering the essential air service subsidy program.

The Committee recommends an appropriation of $1,251,000 for this office, consisting of $1,210,000 for personnel compensation and benefits to support 18 staff years, and $41,000 for other costs. The recommended reduction of 11 staff years from the fiscal year 1990 level is commensurate with the 23 percent reduction in the "Payments to Air Carriers" appropriation. The recommended funding level represents no change to the budget request.

Office of Small and Disadvantaged Business Utilization

Appropriation, fiscal year 1990	$3,500,000
Budget estimate, fiscal year 1991	[1] 3,465,000
Recommended in the bill	3,465,000
Bill compared with:	
Appropriation, fiscal year 1990	−35,000
Budget estimate, fiscal year 1991	.....

[1] Proposed for consolidation into a single salaries and expenses account.

The Office of Small and Disadvantaged Business Utilization is responsible for promoting small and disadvantaged business participation in the Department's procurement and grant programs.

The Committee recommends an appropriation of $3,465,000 for this office, consisting of $827,000 for personnel compensation and benefits to support 15 staff years, $38,000 for other costs, and $2,600,000 for the Minority Business Resource Center. This represents no change to the budget request.

Transportation Planning, Research, and Development

Appropriation, fiscal year 1990	$6,748,000
Budget estimate, fiscal year 1991	4,047,000
Recommended in the bill	4,777,000
Bill compared with:	
Appropriation, fiscal year 1990	−1,971,000
Budget estimate, fiscal year 1991	+730,000

This appropriation finances those research activities and studies concerned with planning, analysis, and information development needed to support the Secretary's responsibilities in the formulation of national transportation policies, as well as contracts and a portion of salaries and expenses for the Office of Commercial Space Transportation. The overall program is carried out primarily through contracts with other federal agencies, educational institutions, nonprofit research organizations, and private firms.

FUNDING DISTRIBUTION

The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 budget estimates, and the Committee recommendations:

[Dollar amounts in thousands]

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Transportation policy and planning	$3,255	$3,847	$2,747
University research	262	200	200
Commercial space	3,553	.....	1,830
Total	7,070	4,047	4,777

Changes to the budget request are as follows:

TRANSPORTATION POLICY AND PLANNING

The recommendation would not allow cost increases over fiscal year 1990 funding levels for the following three studies due to budget constraints: regulatory policy, international and domestic transportation policy, and transportation economic policy (−$830,000). In addition, no funds would be provided for the proposed study on the economic impact of intelligent vehicle/highway systems, since it is believed that such a study is premature and is more appropriately the purview of private industry (−$320,000). The recommendation includes an increase to the budget request to provide funding for the Department to hire a full-time national bicycle program manager, as directed by the Congress last year (+$50,000).

SLEEP AND FATIGUE RESEARCH

The Committee is pleased that the Department has begun to study the importance of sleep and fatigue in transportation, and reiterates the importance of the utilization of specialists in sleep research in these studies.

COMMERCIAL SPACE

The Committee believes that a large number of the contract studies and other activities budgeted for this program are of low priority, may violate OMB guidelines on contracted advisory and assistance services, or are more appropriately the responsibility of private industry. The Committee recommends reductions as follows:

Assessment of demand for space launch services	−$180,000
Promote commercial space launch industry to industry	−30,000
Promote commercial space launch industry to the general public	−20,000
Provide a database for economic and policy analysis	−400,000
Program support contracts	−60,000
Office management contracts	−100,000
Program support—safety management contracts	−300,000
Nonlaunch related contracts and activities	−283,000
Launch accident contingency	−100,000
User fee reimbursement offset	−400,000

The recommended level is sufficient to fund $1,230,000 in contract studies and $600,000 in personnel compensation and benefits for 10 staff years.

Office of Commercial Space Transportation

Operations and Research

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	$4,517,000
Recommended in the bill	.....
Bill compared with:	
Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	−4,517,000

The budget proposed to consolidate all funding for the Office of Commercial Space Transportation into a separate account. The Committee recommends that funding for this office be provided as it was in fiscal year 1990, in the salaries and expenses appropriation for the Office of Commercial Space Transportation and in the Transportation Planning, Research, and Development account.

Working Capital Fund

	Limitation	*Appropriation*
Appropriation, fiscal year 1990	($137,287,000)	$4,441,000
Budget estimate, fiscal year 1991	(146,809,000)	10,446,000
Recommended in the bill	(86,264,000)	.....
Bill compared with:		
Appropriation, fiscal year 1990	(−51,023,000)	−4,441,000
Budget estimate, fiscal year 1991	(−60,545,000)	−10,446,000

The working capital fund finances common administrative services that are centrally performed in the interest of economy and efficiency in the Department. Charges for services rendered are set at rates that return in full all operating expenses, including a normal reserve for accrued annual leave and depreciation of equipment. The fund is reimbursed by the offices being served.

The bill includes language limiting fiscal year 1991 obligations of the Department of Transportation working capital fund to $86,264,000. This is $70,991,000 below the combined budget request. Most of this reduction ($65,443,000) is the result of a transfer of GSA rental payments to a separate appropriation beginning in fiscal year 1991. The remaining reductions would hold travel, supplies and materials to a four percent increase, reduce new equipment purchases, and account for program savings resulting from the recent decision to contract out certain departmental printing operations.

The Committee recommends no new budget authority for the Working Capital Fund since it is not clear why such activities cannot be financed out of other funding provided to the modal administrations or the Office of the Assistant Secretary for Administration.

Payments to Air Carriers

Appropriation, fiscal year 1990	$30,643,000
Budget estimate, fiscal year 1991	23,600,000
Recommended in the bill	23,600,000
Bill compared with:	
Appropriation, fiscal year 1990	−7,043,000
Budget estimate, fiscal year 1991	.....

The bill provides new budget authority of $23,600,000 to continue the Essential Air Service (EAS) program in fiscal year 1991, which represents no change to the budget request. According to the Department of Transportation, the recommended level is sufficient to provide service to an estimated 120 locations, compared to 130 locations in fiscal year 1990. In addition, the bill provides a limitation on obligations of $23,600,000 for this program, subject to the enactment of contract authority.

Rental Payments

Appropriation, fiscal year 1990	[1] $107,668,000
Budget estimate, fiscal year 1991	[1] 119,444,000
Recommended in the bill	107,668,000
Bill compared with:	
Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	−11,776,000

[1] Budgeted in individual appropriations accounts rather than in this consolidated account.

The bill provides $107,668,000 in a consolidated appropriation to pay the General Services Administration (GSA) for headquarters and field space rental and related services. The recommended level provides the same funding as was provided for fiscal year 1990, rather than a 10.9 percent increase as proposed in the budget request. A 23.6 percent increase was already provided in fiscal year 1990. Given the current budget situation, the Committee simply cannot support continued increases of this magnitude. Funds are recommended for consolidation into a single account in order to provide more visibility and cost control. The Department is expected to work with GSA to control such costs in the future.

COAST GUARD

Summary of Fiscal Year 1991 Program

The Coast Guard, as it is known today, was established on January 28, 1915, through the merger of the Revenue Cutter Service and the Lifesaving Service. This was followed by transfers to the Coast Guard of the United States Lighthouse Service in 1939 and the Bureau of Marine Inspection and Navigation in 1942. The Coast Guard has as its primary responsibilities enforcing all applicable federal laws on the high seas and waters subject to the jurisdiction of the United States; promoting safety of life and property at sea; aiding navigation; protecting the marine environment; and maintaining a state of readiness to function as a specialized service of the Navy in time of war.

The Committee recommends a total program level of $3,340,647,000 for the activities of the Coast Guard in fiscal year 1991. This is $52,825,000 less than the budget request, but $141,121,000 more than the fiscal year 1990 program level.

The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 program requests, and the Committee's recommendations:

Program	Fiscal year 1990 program level	Fiscal year 1991 program request	Recommended in the bill
Operating expenses	[1] $2,210,250,000	$2,391,351,000	[2] $2,352,000,000
Acquisition, construction, and improvements	[3] 444,164,000	419,536,000	391,994,000
Environmental compliance and restoration		7,000,000	21,500,000
Alteration of bridges	2,323,000	6,353,000	3,747,000
Retired pay	420,800,000	437,300,000	437,300,000
Reserve training	71,614,000	78,932,000	74,306,000
Research, development, test, and evaluation	20,465,000	23,000,000	24,800,000
Boat safety	29,910,000	30,000,000	35,000,000
Total	3,199,526,000	3,393,472,000	3,340,647,000

[1] Includes $140,000,000 in services-in-kind from the Department of Defense Appropriations Act, 1990 and $160,000,000 derived by transfer.
[2] Includes $160,000,000 to be provided in Department of Defense Appropriations Bill, 1991.
[3] Includes $7,478,000 derived by transfer; but excludes $357,736,000 in the Department of Defense Appropriations Act, 1990 and the Dire Emergency Supplemental Act, 1990.

OIL SPILL RESPONSE CAPABILITY

The Oil Pollution Prevention, Response, Liability and Compensation Act of 1989 passed the House on November 9, 1989, and has been in conference since February 7, 1990. Although the final content and timing of enactment of this bill are uncertain, the Committee is recommending a total of $27,152,000 to provide transitional fiscal year 1991 funding for the Coast Guard until such time as the legislation is enacted, resource requirements are established and the Administration has submitted a budget request. These funds are included under the following appropriations:

	Fiscal year 1991 budget estimate	Recommended in the bill
Operating expenses	$3,452,000	$16,152,000
Acquisition, construction, and improvements	7,000,000	7,000,000
Research, development, test, and evaluation	750,000	4,000,000
Total	11,202,000	27,152,000

The amounts recommended will enable the Coast Guard to strengthen its strike team capability, review oil spill contingency plans, initiate studies of various tanker navigation safety issues, and ensure appropriate management of the oil spill liability trust fund. In addition, the Committee is recommending continuation of language (Sec. 326) making all funds appropriated for operating expenses available to respond to oil spills. The Committee is fully supportive of the goals of the pending bill and will carefully consider additional budget requests to implement these goals once the legislation is enacted.

OPERATING EXPENSES

	Appropriation	*Appropriation plus DOD*
Appropriation, fiscal year 1990	$1,917,728,000	($2,217,728,000)
Budget estimate, fiscal year 1991	2,391,351,000	(2,391,351,000)
Recommended in the bill	2,192,000,000	(2,352,000,000)

OPERATING EXPENSES—CONTINUED

	Appropriation	*Appropriation plus DOD*
Bill compared with:		
Appropriation, fiscal year 1990	+274,272,000	(+134,272,000)
Budget estimate, fiscal year 1991	−199,351,000	(−39,351,000)

The Committee recommends an appropriation of $2,192,000,000, including $35,000,000 to be derived from the boat safety account, for operating expenses of the Coast Guard. The Committee recommendation assumes that an additional $160,000,000 will be made available for Coast Guard military readiness and drug interdiction activities in the fiscal year 1991 Department of Defense Appropriations Bill. The Department of Defense Appropriations Act, 1990, provided $300,000,000 for similar purposes. The amount recommended, together with the additional $160,000,000, will provide for a total program level of $2,352,000,000, an increase of $134,272,000 over the comparable fiscal year 1990 level.

This appropriation provides funds for the operation and maintenance of multipurpose vessels, aircraft, and shore units strategically located along the coasts and inland waterways of the United States and in selected areas overseas. Operating expenses are appropriated for the following categories:

Search and Rescue.—The Coast Guard maintains a nationwide system of boats, aircraft, cutters, and rescue coordination centers on 24-hour alert.

Aids to Navigation.—To ensure safe passage, a network of aids to navigation is maintained. Loran navigation stations are operated in the United States and abroad to serve the needs of the armed services as well as civilian marine and air commerce. Administrative oversight is exercised over the construction, maintenance, and operation of bridges across navigable waters of the United States.

Marine Safety.—The Coast Guard ensures compliance with various federal statutes and regulations pertaining to the merchant marine industry, operates a boat safety standards program, and is responsible for the safety and security of U.S. ports and waterways.

Marine Environmental Protection.—The Coast Guard is responsible for preventing damage to the marine environment and enhancing environmental quality.

Enforcement of Laws and Treaties.—The Coast Guard enforces international agreements and federal laws on the high seas and waters over which the United States exercises jurisdiction, including fisheries violations, drug smuggling, illegal immigration, hijacking/theft of vessels, and other unlawful activities.

Marine Science and Ice Operations.—Marine science activities, including the International Ice Patrol, are carried out on a cooperative basis with other government agencies. Ice operations are conducted to support the requirements of Coast Guard programs and other agencies to facilitate commerce.

Military Readiness.—The Coast Guard operates as a service of the Navy in time of war or national emergency at the direction of the President.

The Committee expects the amount recommended, together with the funding contained in the fiscal year 1991 Department of De-

fense Appropriations Bill, to be sufficient to provide for 37,637 military positions and 4,819 civilian positions. These levels represent increases of 508 military and 187 civilian positions over the comparable fiscal year 1990 levels.

The recommended reduction of $39,351,000 includes the following program changes:

GSA rent (funds included under separate appropriation)	−$31,353,000
Environmental compliance (funds included under separate appropriation)	−15,000,000
Military readiness exercise planning and support (continue at fiscal year 1990 level)	−300,000
Slippages in commissioning new equipment and facilities	−3,398,000
Permanent changes of station (limit increase to $2,600,000 instead of $4,600,000)	−2,000,000
Implementation of pending oil spill legislation (including $3,452,000 requested in the budget would provide a total of $16,152,000)	+12,700,000
Total	−39,351,000

As indicated above, funds for GSA rental payments and environmental compliance of Coast Guard facilities have been included under separate appropriations. Under the Committee recommendation, funding for military readiness exercise planning and support would be continued at the fiscal year 1990 level of $885,000 and funding for the operation and maintenance of new facilities would be reduced by $3,398,000 from the budget estimate. Testimony indicates that the following facilities for which operating expenses have been requested will not be completed until fiscal year 1992 or later:

Station Lake Worth inlet relocation.
Air Station Clearwater—SEUS phase II.
Station Cortez.
Group Long Island Sound boat maintenance facility.
Station New Haven support building.
Station Depoe Bay—facilities upgrade.
Coast Guard Yard—flammable storage upgrade.
Coast Guard Yard—acid cleaning building.

In addition, the budget includes $1,520,000 to operate an air station at Charleston, South Carolina, the construction funds for which are included in the accompanying bill.

Fast coastal interceptor boats.—The Committee directs that the $1,493,000 requested for the operation and maintenance of the Coast Guard's fast coastal interceptor boats (fast boats) be reallocated to other drug enforcement activities. Testimony indicates that these boats have had reliability problems as well as structural problems, including cracks in the hulls and delamination. Accord-

ing to the Inspector General, these boats have been involved in only three drug-related seizures, two of which did not require a fast boat. Based on the performance of these boats to date, the Committee does not believe they are an effective interdiction resource or an effective deterrent to drug smugglers.

Fishing enforcement.—The Committee expects the Coast Guard to continue to aggressively monitor and enforce illegal fishing activity in the North Pacific and Bering Sea.

The bill includes language requiring that not less than $602,600,000 of operating expense funds be used for drug interdiction activities. This is in keeping with the Committee's continuing commitment to such activities. The Coast Guard's interdiction activities mainly revolve around marijuana shipments, since the Drug Enforcement Administration estimates that a large amount of the marijuana consumed in the United States is smuggled in by sea. In addition, in recent years Coast Guard seizures of cocaine have increased at a significant rate. A breakdown of Coast Guard contraband seizures follows:

COAST GUARD DRUG SEIZURES

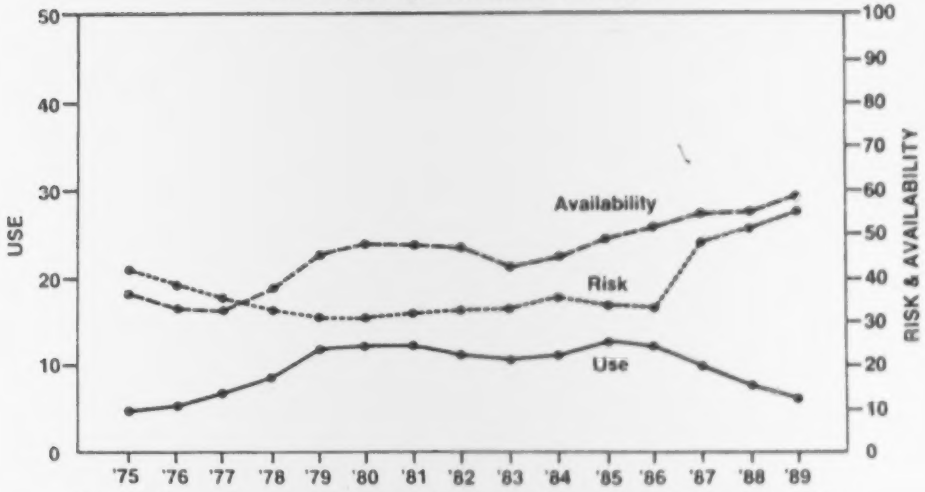
	Fiscal year—						
	1983	1984	1985	1986	1987	1988	1989
Vessels seized	145	223	186	149	152	143	152
Marijuana on vessels (thousand lbs)	2,240	2,800	1,860	1,750	1,220	619	296
Marijuana adrift (thousand lbs)	61	62	92	90	82	25	16
Cocaine (lbs)	55	1,932	5,890	7,495	12,950	14,592	15,863
Hashish (lbs)	1	30,000	0	2,000	2	0	0
Hashish oil (gals)	0	28	0	35	13	52	69
Arrests	709	1,056	733	648	568	372	152

Note: The above statistics represent Coast Guard seizures only. In addition, in fiscal year 1989 the Coast Guard assisted in the seizure of 75 vessels, 16,657 pounds of marijuana, 18,923 pounds of cocaine, and in the arrest of 104 individuals. The fiscal year 1989 figures for vessels seized includes 89 seizures under the Zero Tolerance program.

As the table indicates, the amount of marijuana seized by the Coast Guard in fiscal year 1989 was about 52 percent less than in 1988 and 89 percent less than in fiscal year 1984. Conversely, seizures of cocaine have increased from 55 pounds in 1983 to over 15,800 pounds in 1989. The Coast Guard regards the lower amount of marijuana seized as an indication that they have been successful in reducing maritime shipments of this substance. However, other data collected by the National Institute on Drug Abuse (NIDA), that are summarized in the following graphs, indicate that neither the increased amount of cocaine seizures nor the continuing efforts to interdict marijuana shipments seem to have had any noticeable effect on reducing the availability of these substances in the United States:

Cocaine

Trends in Perceived Availability, Perceived Risk of Trying, and Prevalence of Use in Past Year Among High School Seniors



Use: % using once or more in past 12 months

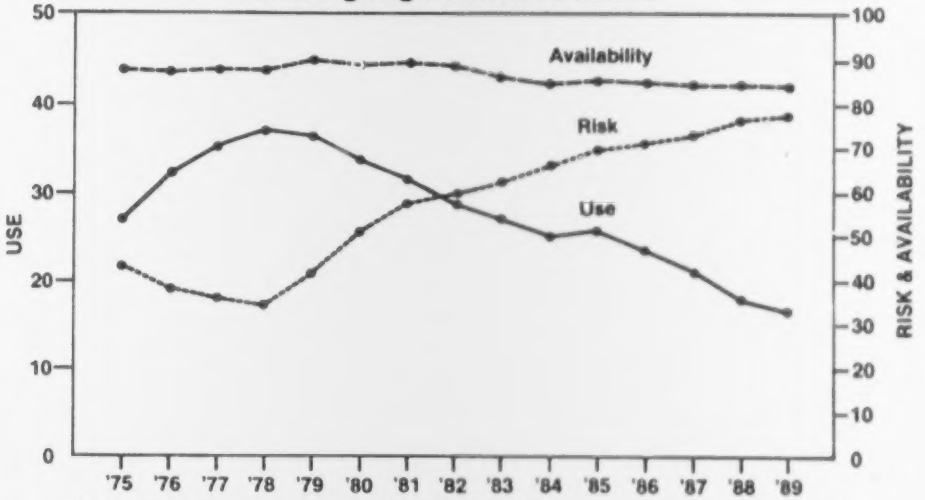
Risk: % saying great risk of harm in using once or twice

Availability: % saying fairly easy or very easy to get

Source: National Institute on Drug Abuse, Monitoring the Future Study, 1989

Marijuana

Trends in Perceived Availability, Perceived Risk of Regular Use, and Prevalence of Use in Past 30 Days Among High School Seniors



Use: % using once or more in past 30 days

Risk: % saying great risk of harm in regular use

Availability: % saying fairly easy or very easy to get

Source: National Institute on Drug Abuse, Monitoring the Future Study, 1989

The Committee continues to be deeply concerned that the Coast Guard's drug interdiction activities have been only marginally effective in reducing illegal drug availability. As the previous charts indicate, the proportion of high school seniors saying they could obtain cocaine "fairly easily" has increased and the proportion saying that marijuana is "fairly easy" to obtain continues at close to the 85 percent level.

Nevertheless, the Committee believes that drug interdiction is important, and should be continued. However, other activities such as obtaining the cooperation of foreign governments to eradicate drugs at the source, reducing demand through educational programs, stepping up domestic law enforcement efforts, and prosecuting and penalizing drug users and traffickers to the full extent of the law must also be fully supported and managed in a coordinated fashion.

Most officials believe that the long-term solution to the U.S. drug problem rests in demand reduction, not supply reduction. Sources of supply will continue to be available until there is a significant decrease in the demand for narcotics and dangerous drugs. The Committee, therefore, believes that future efforts to increase funding for drug abuse prevention activities should emphasize demand reduction.

In the past, the Committee has expressed concern about the lack of program performance measures for the Coast Guard's drug interdiction activities. There has not been any clear correlation between the level of expenditures devoted to interdiction and the price and purity of illegally imported drugs. The January 1990 National Drug Control Strategy addresses this concern by establishing the following two-year objectives for reducing drug availability:

(1) a 15 percent reduction in the estimated amounts of cocaine, marijuana, heroin, and other dangerous drugs entering the United States; and

(2) a 15 percent reduction in the number of people reporting that cocaine, marijuana, heroin, and other dangerous drugs are easy to obtain in their communities.

The Committee intends to monitor the progress made in accomplishing these goals.

The Committee remains concerned about the coordination of our drug interdiction program. For example, when asked the extent to which the Coast Guard's projected drug enforcement cutter operating hours and aircraft flight hours for fiscal year 1991 were based on an anticipated level of Department of Defense effort, the Commandant replied:

> * * * the operating hours that we have are not based on DOD levels at all.

In fact, the Coast Guard indicated that they did not know the aircraft and shipboard operating hours the Department of Defense invests in anti-drug operations. The Committee expects future Coast Guard budget requests to take into consideration the programmed anti-drug efforts of the Department of Defense.

HISTORIC FACILITY

The Committee directs the Coast Guard not to demolish the historic Albion Inn in Cortez Village, Florida, until the agency reconsiders renovating the existing structure or exchanges sites within the community.

BUDGET JUSTIFICATION

The Committee reiterates the concerns expressed by the Senate Appropriations Committee regarding the budget justification material submitted in support of the Operating expenses appropriation (S. Report 101–121). The Committee believes there are three major shortcomings. First, the budget justifications focus on incremental increases with only the most aggregate reference to base level resources or the operating experience of the current or prior year. Second, the distribution of the budget by activity is simply a proration by mission area of prior year obligations. Finally, personnel costs are not clearly identified. The Committee expects the fiscal year 1992 budget justification to address these concerns. In particular, the Committee requests personnel costs separately identified by activity, sufficient data to indicate staffing levels by program, and operating and maintenance costs for all major operating facilities and equipment. These data should be provided for prior-year, current-year, and budget-year for the base level and each line item requested.

In addition, the Committee does not believe that operating expense funds should be used for major system improvements. According to a recently issued Inspector General report, operating expense funds were being used to upgrade major systems on 180-foot buoy tenders that were not included in the service life extension program. The Committee expects future budget requests to include all such costs under the Acquisition, Construction and Improvements appropriation.

GENERAL PROVISION

The bill continues as a general provision (Sec. 323) language that would prohibit funds to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara traffic separation scheme and the San Francisco traffic separation scheme. On April 27, 1989, the Department published a notice of proposed rulemaking that would narrow the originally proposed five-mile-wide fairway to two one-mile-wide fairways separated by a two-mile-wide area where offshore oil rigs could be built if Lease Sale 119 goes forward. Under this revised proposal vessels would be routed in close proximity to oil rigs because the two-mile-wide non-fairway corridor could contain drilling rigs at the edge of the fairways. The Committee is concerned that this rule, if implemented, could increase the threat of offshore oil accidents off the California coast. Accordingly, the bill includes language prohibiting the implementation of this regulation.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

Appropriation, fiscal year 1990	$436,686,000
Budget estimate, fiscal year 1991	419,536,000
Recommended in the bill	391,994,000
Bill compared with:	
Appropriation, fiscal year 1990	−44,692,000
Budget estimate, fiscal year 1991	−27,542,000

The bill includes $391,994,000 for the capital acquisition, construction, and improvement programs of the Coast Guard for ves-

sels, aircraft, other equipment, shore facilities, and related administrative expenses. This represents a six percent reduction from the budget request. The majority of the reduction is in aircraft, which decreases from $196,110,000 in fiscal year 1990 to $101,700,000 recommended for fiscal year 1991. The recommendation includes increases in each of the four other budget categories.

Consistent with past practice, the bill also includes language distributing the total appropriation as follows:

[In thousands of dollars]

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Vessels	$132,302	$162,200	$155,750
Aircraft	[2]196,110	110,300	101,700
Other equipment [1]	15,852	24,500	20,500
Shore facilities	70,887	86,000	81,385
Personnel	21,535	36,536	32,659
Total	436,686	419,536	391,994

[1] In fiscal year 1990, and in the fiscal year 1991 budget estimate, this category is entitled "Command, Control and Communications"
[2] Excludes $7,478,000 derived by transfer

ACQUISITION PROCESS

The Committee is concerned that the Coast Guard's procurement practices need to be strengthened. Despite the establishment of the Office of Acquisition several years ago, the Coast Guard has recurring problems in cost estimating, technical risk assessment, and other areas of acquisition. Examples are as follows:

—The Coast Guard's cost estimate to procure two ATON barges for the Great Lakes District has recently doubled, from $6,500,000 to $13,000,000.

—The Coast Guard testified last year that "the [378-Foot Cutter Fleet Renovation and Modernization] FRAM contract is not going to escalate. We are very confident of the $825 million cost for the entire project. We don't think there's going to be a significant cost growth. There's even some chance it could be lower". Current estimates place costs as high as $871,000,000. The original cost estimate was $594,000,000. Cost growth in this one program alone is two-thirds the size of the entire Coast Guard AC&I budget request.

—Despite the fact that Department of Defense policy discourages the use of fixed price contracts for lead ship construction and allows them only after prior departmental approval, the Coast Guard plans to use fixed-price contracts for the lead vessel in every ship and boat program in their current budget.

—GAO and Office of the Inspector General audits continue to show that Coast Guard acquisition personnel do not, on average, have the acquisition background or specialized training to be effective program managers. Only fifty percent of current program managers have any prior acquisition experience, and the average tenure in their existing positions is less than three years. Since the Coast Guard is not in favor of increasing the number of civilians in project management, the buildup of expertise is hampered and cost estimating and project control weaknesses continue.

The Committee received the following testimony this year from the DOT Inspector General:

There is a fairly long history of problems with the major acquisition process in . . . the Coast Guard . . . Part of the Coast Guard problem has been the skill level of their acquisition staff, rotation problems, and having a well qualified acquisition staff. The same kind of thing holds true in contract administration, the ability to control government furnished property, control delivery dates, and enforce delivery schedules. Those are the kinds of things that led to our inclusion of the Coast Guard acquisition program as a high vulnerability area.

The Coast Guard does not acknowledge that there are systemic problems in acquisition management. Rather, they believe that past and current problems are isolated cases. The Committee cannot agree, based upon the evidence of continuing cost overruns and schedule delays. Unlike the FAA, which recognized a problem and has taken action to address it, the Coast Guard plans no significant changes. The Committee expects the Coast Guard to place a top priority upon strengthening acquisition policies and practices in the coming year. Those changes will be reviewed in next year's hearings on the Coast Guard's fiscal year 1992 budget request.

VESSELS

The Committee recommends a program level of $155,750,000 for vessels to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1991 estimate	Recommended in the bill
WLB Replacement	$2,200	
MLB Replacement	1,000	$1,000
Patrol Boat Replacement	5,500	5,500
WLM Replacement	3,100	550
ATON Barges—9th Dist.	6,400	5,100
Buoy Boat Replacement	5,600	1,000
TACDIS	1,800	
378' Cutter FRAM	78,200	78,200
210' Cutter MMA	32,500	32,500
SLEP	20,000	20,000
Polar Icebreaker RIP	2,700	2,700
378' Cutter Weapons Mod	3,200	3,200
Configuration Management		6,000
Total	162,200	155,750

Changes to the budget request are as follows:

WLB REPLACEMENT

The Committee recommends no funding for this program, a reduction of $2,200,000 from the budget request. According to Coast Guard data, an unobligated balance of $5,900,000 remains in this account from the fiscal year 1989 appropriation which is available to offset fiscal year 1991 requirements.

WLM REPLACEMENT

The Committee recommends $550,000 for this program, a reduction of $2,550,000 from the budget request. According to the Coast Guard, contract design award is not scheduled before August 1991, one month before the end of the fiscal year. Given the poor past

performance of Coast Guard shipbuilding programs at meeting schedule estimates, it is not likely that contract award will take place until fiscal year 1992. In addition, the Coast Guard testified that "all aspects of the project including acquisition schedule and fiscal requirements are being revised to reflect current estimates and proposed strategy changes". The Committee believes it prudent to withhold further funding until the Coast Guard's true fiscal requirements are reviewed and approved by the Office of the Secretary of Transportation.

ATON BARGES—NINTH DISTRICT

The Committee recommends $5,100,000 for the second of two Aids to Navigation (ATON) barges for the Great Lakes District. The reduction of $1,300,000 is based upon contract savings.

BUOY BOAT REPLACEMENT

The Committee recommends $1,000,000 for the Buoy Boat Replacement program, a reduction of $4,600,000 from the budget request. The budget request was for construction of the first seven boats in this program. Since submission of the budget, the Coast Guard has revised their program plan. They now intend to defer construction until after design and prototype development. The Committee's recommendation provides funding for the necessary design work and deletes funding for boat construction in accord with the Coast Guard's most current plan.

TACTICAL DISPLAY (TACDIS) SYSTEM

The Committee recommends no funding for the Tactical Display (TACDIS) system, a reduction of $1,800,000 from the budget request. TACDIS would provide a sophisticated command and control system for coordination with Department of Defense forces during military operations and exercises. The capabilities would include Defense Mapping Agency digital electronic mapping, Joint Chiefs of Staff target information system, and state-of-the-art large screen displays. Total development and acquisition costs are estimated at $36,200,000 and annual operating expenses are estimated at $1,700,000. The Committee finds it inconsistent to begin expensive new initiatives expanding the Coast Guard's military capability at the same time the national defense budget is being significantly reduced. The Committee also notes the acquisition history of the Coast Guard's Command Display and Control (COMDAC) system, which was originally estimated at an acquisition cost of $16,400,000 and ultimately cost $165,000,000.

AIRCRAFT

The Committee recommends a program level of $101,700,000 for aircraft, to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1991 estimate	Recommended in the bill
Talon Phase II	$9,800	$5,500
HH–60 Replacement	34,300	27,900
HH–65 Supplemental Spares	7,700	7,700
HU–25 Engine Improvements	3,500	3,500

	Fiscal year 1991 estimate	Recommended in the bill
HH-65 Engine Replacement	6,500	6,500
OPBAT Helicopter Replacement	45,000	47,100
Voice & Flight Data Recorders	3,500	3,500
Total	110,300	101,700

Changes to the budget request are as follows:

TALON PHASE II

The recommended reduction of $4,300,000 is based upon program savings since submission of the budget request. According to the Coast Guard, some of the items for which funds were requested in fiscal year 1991 have already been procured using prior year funds.

HH-60 REPLACEMENT

The Committee recommends $27,900,000 for HH-60 Medium Range Recovery Helicopter Replacement, a reduction of $6,400,000 from the budget request. The recommendation would not affect the quantities of aircraft purchased, since no funding was requested for procurement of helicopters. The recommendation would reduce funding for engineering change orders and program support costs (−$4,300,000) and transfer funding to the OPBAT Helicopter Replacement program to offset cost increases in that program (−$2,100,000).

HH-65 (DOLPHIN) HELICOPTER

The Committee remains deeply concerned over the status of the HH-65 (Dolphin) helicopter, which is used primarily for short range search and rescue operations. As described in the Committee's fiscal year 1990 report, the HH-65 has been plagued by the poor performance of its LTS-101 engine. Although the Coast Guard's availability goal for this aircraft is 71 percent, actual availability for fiscal year 1989 was only 56 percent. While this is an improvement over the previous year's 47 percent, the program is still not progressing well.

Although the main problem has been identified as a poorly designed power turbine (PT) wheel, the Committee is displeased to learn that the engine contractor, Textron-Lycoming, is behind in deliveries of the new design PT wheel. In addition, the Department of Justice and the Coast Guard have not announced the resolution of an ongoing criminal investigation into contractor violations of the False Claims Act. The net effect of these delays is a program which has been in a constant state of turmoil and only marginally improved since last year.

In recognition of the importance of the HH-65's mission, the Committee is recommending approval of the budget request of $7,700,000 for HH-65 supplemental spares. However, it should not be expected that the Committee will continue to support this program in the future if significant management improvements and stronger contractor performance are not evidenced soon.

The Committee also believes that the Coast Guard should expand its HH-65 re-engining program to include other alternatives to the Army's T-800 engine. The Commandant made the following comments this year:

> I have made a rule of thumb, as the Commandant, that I would never again buy a helicopter or an airplane that was not a DOD-supported piece of equipment * * * I may get forced into doing that, or a future commandant may. But this committee ought to stand firm in not letting that happen.

Given these comments, the Committee is disturbed to find that the Coast Guard's current plan would have them procuring T-800 engines two years before the DOD makes its first buy of that engine. Half of the Coast Guard's total requirement would be procured before the Army buys even its first T-800. Consistent with the Commandant's views, the Committee is not supportive of such a schedule, and notes that there is still considerable program risk—including developmental risk—in the T-800 program. For these reasons, the Committee directs the Coast Guard to include in the re-engining proof of concept program the Arriel 1C2/CG engine. The Committee understands that prior year unobligated funds are available to finance the Arriel proof of concept activity. This should not be construed as a lack of support for the T-800 proof of concept, but rather a decision to add an additional engine option given the continuing poor performance of the LTS-101 and the signficant risk in the T-800.

OPBAT HELICOPTER REPLACEMENT

The Committee recommends $47,100,000 for this program, an increase of $2,100,000 above the budget request. The President's budget included $45,000,000 to procure three helicopters. According to current contract deliberations, such funding is inadequate to procure three helicopters. Therefore, in order to avoid a reprogramming which would in all likelihood delay the procurement, the Committee recommendation includes $40,600,000 to procure two helicopters (including government furnished equipment) and $6,500,000 for long lead items for helicopters to be procured in future fiscal years. The recommendation also assists in smoothing out production line deliveries, in order to avoid unnecessary overhead costs.

OTHER EQUIPMENT

The Committee recommends a program level of $20,500,000 for Other Equipment, a reduction of $4,000,000 from the budget request. This budget activity has previously been titled "Command, Control and Communications". However, in hearings the Coast Guard stated that many of these programs had little to do with command, control and communications. Instead, the budget category is used to fund equipment which transcends individual mission boundaries and applies to more than one of the other budget activities. Many of the programs involve general-purpose ADP systems which apply equally to vessels, aircraft, and shore facilities. For this reason, the Committee recommends changing the title of this appropriation to more accurately reflect its purposes. These funds are to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1991 estimate	Recommended in the bill
AR&SC Computer Replacement	$1,500	$1,500
GPS Installation	1,600	3,600
Configuration Management	6,000	.....
Alaska: Upgrade LORAN–C	6,000	6,000
MSIS Replacement	2,500	2,500
Service Record Automation	1,200	1,200
Vessel ID/Document System	2,200	2,200
LEIS Improvements	1,800	1,800
PMIS/JUMPS II Info Systems	1,700	1,700
Total	24,500	20,500

Changes to the budget request are as follows:

GPS INSTALLATION

The Committee recommends $3,600,000 for GPS Installation, an increase of $2,000,000 above the budget request. Recognizing the potential of GPS systems for Coast Guard missions, the additional funding would accelerate activities planned for deferral until fiscal year 1992.

CONFIGURATION MANAGEMENT

The Committee has transferred this program, at the requested funding level, to the "Vessels" subaccount, since it is more appropriately budgeted under that heading.

SHORE AND AIDS TO NAVIGATION FACILITIES

The Committee recommends a program level of $81,385,000 for Shore and Aids to Navigation Facilities, a reduction of $4,615,000 from the budget request. These funds are to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1991 estimate	Recommended in the bill
Minor AC&I Construction	$9,000	$7,685
Intell Coord Ctr Relocation	1,800	.....
National Strike Force	7,000	7,000
Kodiak, AK Air Station	2,700	2,700
Charleston, SC Air Facility	2,700	2,700
NC HH–60J Training Facility	2,100	.....
Kodiak, AK Fire Station	4,200	4,200
Kodiak, AK Roads/Grounds	3,000	3,000
Coast Guard Yard Improvements	3,700	3,700
Coast Guard Yard: Crane #2	2,000	2,000
New York, NY Health Care Bldg	7,600	7,600
AL HH–60J Training Facility	1,200	.....
Family Quarters	13,500	15,300
Burlington, VT Station Replace	3,500	3,500
New Smyrna Beach, FL Rehab	2,000	2,000
East Tawas, MI Rebuild	1,400	1,400
Chincoteague, VA Renovation	4,200	4,200
Key West, FL Vessel Spt Bldg	1,200	1,200

[In thousands of dollars]

	Fiscal year 1991 estimate	Recommended in the bill
Ilwaco, WA Renovation	3,200	3,200
Ketchikan, AK Storage Bldg	3,000	3,000
Waterways ATON Projects	7,000	7,000
Total	86,000	81,385

Changes to the budget request are as follows:

MINOR AC&I CONSTRUCTION

The Committee recommends $7,685,000 a reduction of $1,315,000 from the budget request. The recommended level provides the average funding for the past three years plus an allowance for inflation instead of a twenty percent increase as proposed.

INTELLIGENCE COORDINATION CENTER RELOCATION

The Committee recommends no funding for this activity, a reduction of $1,800,000 from the budget request. The budget proposed to relocate the current Coast Guard intelligence center from Coast Guard Headquarters to Navy intelligence facilities in Suitland, Maryland. The Committee finds no compelling reason for this move, especially in light of plans to construct a new Department of Transportation Headquarters building in which the Coast Guard would be located. It is clear that the Coast Guard's plans would improve intelligence coordination with naval forces; however, it would also appear to lessen coordination with senior Coast Guard and DOT officials, which is of higher priority. These funds have been transferred to the Coast Guard Family Housing program, which has a backlog of requirements.

HH–60J TRAINING FACILITIES

The Committee recommends no funding for HH-60J training facilities in Elizabeth City, North Carolina and Mobile, Alabama. The Committee believes that the Navy may have excess maintenance and aviation training capacity for H-60 squadrons due to force structure decreases in the 1992–1995 timeframe. The Coast Guard should fully explore the use of existing Navy facilities before embarking on a $30,000,000 investment in new facilities of their own.

FAMILY QUARTERS

The Committee recommends $15,300,000 for Family Quarters, an increase of $1,800,000 above the budget request. These funds have been offset by a corresponding reduction in the Intelligence Center Relocation project due to higher priority.

PERSONNEL, SURVEY AND DESIGN, AND RELATED SUPPORT

The Committee recommends $32,659,000 for this activity, a reduction of $3,877,000 from the budget request but a 52 percent in-

crease above the fiscal year 1990 enacted level. Funds are to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1991 estimate	Recommended in the bill
Personnel/related costs	$30,536	$26,659
Survey and Design: Vessels	1,000	1,000
Survey and Design: Shore	5,000	5,000
Total	36,536	32,659

PERSONNEL AND RELATED COSTS

The Committee recommends $26,659,000 for Personnel and Related Costs, which represents a three percent increase over the fiscal year 1990 level. The budget requested an 18 percent increase in funding for acquisition personnel and related costs even though the acquisition budget is decreasing. Such increases are unrealistic and unjustified—the Coast Guard should be able to manage a declining budget without personnel increases.

Secondly, most of the new positions requested are simply not needed. These include 16 positions to crew the prototype Heritage Patrol Boat during its testing period, which is scheduled to end in March 1991. The Coast Guard could easily utilize one of their existing patrol boat crews for this purpose instead of adding permanent billets. The budget requests an engineer for the Buoy Boat Replacement project. However, instead of preparing an in-house design the Coast Guard has decided to contract out the design work. Therefore, an additional engineer position is not needed.

Thirdly, the Committee notes that the staffing base upon which the 18 percent increase is added includes 50 positions for a Polar Icebreaker Project Resident Office. Based upon existing memoranda of understanding with the Navy and staffing levels at other Coast Guard field acquisition offices, it is very unlikely that 50 positions will be needed.

For these reasons the Committee believes the Coast Guard can adequately manage the recommended AC&I program without increases in staffing. Bill language has been included which caps full-time equivalent staffing at the fiscal year 1990 level of 586. The Committee also believes that the Coast Guard needs to develop a database which shows a programmatic distribution of positions and vacancies if they intend to request personnel increases in the future. The current lack of such data makes confirmation of AC&I staffing requirements extremely difficult.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	$7,000,000
Recommended in the bill	21,500,000
Bill compared with:	
Appropriation, fiscal year 1990	+21,500,000
Budget estimate, fiscal year 1991	+14,500,000

The Committee recommends $21,500,000 to bring Coast Guard facilities into compliance with applicable federal, state, and local environmental regulations. These funds will permit the continuation and expansion of a service-wide program to correct environmental problems, such as major improvements of storage tanks containing petroleum and regulated substances. The program focuses mainly upon Coast Guard facilities, but also includes third party sites where Coast Guard activities have contributed to environmental problems. As previously indicated, $15,000,000 of the amount recommended was requested under the Operating expenses account. The Committee believes that all costs for this program should be included under a single appropriation.

Alteration of Bridges

Appropriation, fiscal year 1990	$2,323,000
Budget estimate, fiscal year 1991	6,353,000
Recommended in the bill	3,747,000
Bill compared with:	
Appropriation, fiscal year 1990	+1,424,000
Budget estimate, fiscal year 1991	−2,606,000

The Coast Guard has the responsibility to order the alteration or removal of bridges that have become unreasonable obstructions to the waterborne commerce of the United States. This account provides for the Federal Government's share of the cost of such alteration or removal.

The estimated costs, previous funding, budget estimates, and amounts recommended for these bridges are as follows:

Bridge owner	Estimated total costs	Estimated U.S. costs	Funding to date	Budget estimate	Recommended in the bill
Mississippi River [1]: Hannibal, MO, Norfolk Southern Corp	$13,100,000	$11,600,000	$11,153,000	$3,053,000	$447,000
Pascagoula River [2]: Pascagoula, MS, CSX–L&N Railroad	12,500,000	12,000,000	470,000	2,300,000	2,300,000
Mississippi River: Burlington, IA, Burlington-Northern Railroad	16,000,000	15,000,000	.....	1,000,000	1,000,000
Total	41,600,000	38,600,000	11,623,000	6,353,000	3,747,000

[1] Funding to date includes $3,053,000 for the Hannibal Bridge contained in a fiscal year 1990 reprogramming.
[2] Cost estimates are preliminary and subject to change pending a full investigation of this project and a determination of the amount and type of effort that would be required in altering this bridge.

Retired Pay

Appropriation, fiscal year 1990	$420,800,000
Budget estimate, fiscal year 1991	437,300,000
Recommended in the bill	437,300,000
Bill compared with:	
Appropriation, fiscal year 1990	+16,500,000
Budget estimate, fiscal year 1991	.....

The Committee has approved the budget estimate of $437,300,000 for retired pay of military personnel of the Coast Guard and the Coast Guard Reserve. Also included are payments to members of the former Lighthouse Service and beneficiaries pursuant to the retired serviceman's family protection plan and survivor benefit plan, as well as payments for medical care of retired personnel and

their dependents under the Dependents Medical Care Act. The average number of personnel on the retired rolls is estimated to be 26,153 in fiscal year 1991, as compared with an estimated 25,531 in fiscal year 1990 and 25,027 in fiscal year 1989.

Reserve Training

Appropriation, fiscal year 1990	$71,614,000
Budget estimate, fiscal year 1991	78,932,000
Recommended in the bill	74,306,000
Bill compared with:	
Appropriation, fiscal year 1990	+2,692,000
Budget estimate, fiscal year 1991	−4,626,000

The bill includes $74,300,000 for reserve training. This appropriation provides for the training of qualified individuals who are available for active duty in time of war or national emergency or to augment regular Coast Guard forces in the performance of peacetime missions. The program activities fall into the following categories:

Initial Training.—The direct costs of initial training for three categories of nonprior service trainees.

Continued Training.—The training of officer and enlisted personnel.

Operation and Maintenance of Training Facilities.—The day-to-day operation and maintenance of reserve training facilities.

Administration.—All administrative costs of the reserve forces program.

The amount recommended represents an increase of $2,692,000 over fiscal year 1990 and will support a ready reserve of 19,600, including a selected reserve of 12,100. The Committee has not approved the requested increase of 600 positions for the selected reserve. The Committee has also deleted the $680,000 requested for rental payments to the General Services Administration. These funds are included under a separate appropriation.

As has been stated in the past, the Committee believes that the augmentation training program is providing for a very efficient use of Coast Guard reserve personnel. Testimony indicates that during fiscal year 1991 an estimated two million man-hours of augmentation training will be performed in nearly all of the major operating activities of the regular Coast Guard such as port safety, search and rescue, boating safety, and a number of staff and support functions.

Research, Development, Test, and Evaluation

Appropriation, fiscal year 1990	$20,465,000
Budget estimate, fiscal year 1991	23,000,000
Recommended in the bill	24,800,000
Bill compared with:	
Appropriation, fiscal year 1990	+4,335,000
Budget estimate, fiscal year 1991	+1,800,000

The bill includes $24,800,000 for the applied scientific research, development, test, and evaluation projects necessary to maintain and expand the technology required for the Coast Guard's operational and regulatory missions. This amount is $1,800,000 more

than the budget estimate and $4,335,000 more than the fiscal year 1990 appropriation.

The following table summarizes the fiscal year 1990 appropriation, the fiscal year 1991 budget estimate, and the Committee recommendation:

	Fiscal year 1990 appropriation	Fiscal year 1991 budget estimate	Recommended in the bill
Search and rescue	$763,000	$2,400,000	$2,400,000
Aids to navigation	880,000	2,180,000	2,180,000
Marine safety	1,114,000	735,000	885,000
Marine environmental response	4,084,000	750,000	4,000,000
Enforcement of laws and treaties	1,230,000	1,460,000	1,460,000
Command, control, and communications	1,918,000	2,365,000	2,285,000
Multi-mission	3,491,000	5,310,000	4,310,000
Administrative support	6,985,000	7,800,000	7,280,000
Total	20,465,000	23,000,000	24,800,000

The amount recommended will provide for 48 military and 78 civilian positions. These are the same levels as proposed in the budget request.

The bill includes an increase of $150,000 to permit the Coast Guard to contract with the Centers for Disease Control to develop data on the number and severity of propeller injuries. This report should be submitted to the House and Senate Committees on Appropriations no later than January 31, 1991.

As previously indicated, the Committee has increased the funding for marine environmental response research by $3,250,000 over the budget estimate to improve the Coast Guard's oil and hazardous materials cleanup capabilities.

Offshore Oil Pollution Compensation Fund

(Limitation)

Limitation, fiscal year 1990	($59,820,000)
Budget estimate, fiscal year 1991	(60,000,000)
Recommended in the bill	(60,000,000)
Bill compared with:	
Limitation, fiscal year 1990	(+180,000)
Budget estimate, fiscal year 1991	.....

The Outer Continental Shelf Lands Act Amendments of 1978 require the Coast Guard to perform additional marine safety and environmental protection missions on the outer continental shelf. Title III of the Act establishes a fund to pay compensation for damages, including cleanup, resulting from oil pollution associated with activity on the outer continental shelf. Fund receipts are obtained from the collection of a fee on outer continental shelf oil. The bill includes the requested language providing authority to borrow from the Secretary of the Treasury if appropriations are not adequate to meet fund obligations. The bill also includes language limiting fiscal year 1991 obligations under the fund to a maximum of $60,000,000, the same as the budget estimate.

Deepwater Port Liability Fund

(Limitation)

Limitation, fiscal year 1990	($49,850,000)
Budget estimate, fiscal year 1991	(50,000,000)
Recommended in the bill	(50,000,000)
Bill compared with:	
Limitation, fiscal year 1990	(+150,000)
Budget estimate, fiscal year 1991	.....

The deepwater port liability fund provides for the settlement, without fault, of claims for cleanup costs and damages incurred as a result of oil spills from deepwater port activities. Prior to September 25, 1984, fund receipts were obtained from fees on oil transiting deepwater port facilities. As of that date, the Deepwater Port Act Amendments of 1984 suspended the fee unless the fund balance falls below $4,000,000. The fund balance is currently $5,864,000.

The bill includes language providing authority to borrow from the Secretary of the Treasury and limiting total fund obligations to $50,000,000 in fiscal year 1991.

Boat Safety

(Aquatic Resources Trust Fund)

Appropriation, fiscal year 1990	$29,910,000
Budget estimate, fiscal year 1991	30,000,000
Recommended in the bill	35,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+5,090,000
Budget estimate, fiscal year 1991	+5,000,000

The bill includes an appropriation of $35,000,000 for the recreational boating safety program as authorized by the Federal Boat Safety Act of 1971, as amended, and Public Law 98–369 (Deficit Reduction Act of 1984). These funds are used primarily to help enforce boating safety laws and to expand boating education programs.

The Internal Revenue Code of 1954, as amended, and the Federal Boat Safety Act of 1971, as amended, provide for the transfer of highway trust fund revenue derived from the motor boat fuel tax, excise taxes on sport fishing equipment, and import duties on fishing tackle and yachts to the aquatic resources trust fund. The Secretary of the Treasury estimates the amounts to be so transferred and appropriations are authorized from the fund for recreational boating safety assistance and other programs as specified by law.

FEDERAL AVIATION ADMINISTRATION

Summary of Fiscal Year 1991 Program

The Federal Aviation Administration (FAA) is responsible for the safety and development of civil aviation and the evolution of a national system of airports. Most of the activities of the FAA will be funded with direct appropriations in fiscal year 1991. The grants-in-aid for airports program, however, will be financed under con-

tract authority with the program level established by a limitation on obligations contained in the accompanying bill.

The total recommended program level for the FAA for fiscal year 1991 amounts to $8,170,615,000 including a $1,800,000,000 limitation on the use of contract authority. This is $1,019,972,000 more than the fiscal year 1990 level, and $117,085,000 less than the budget request. The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 program requests and the Committee's recommendations:

Program	Fiscal year 1990 program level	Fiscal year 1991 program request	Recommended in the bill
Operations	[1] $3,834,309,000	[2] $4,097,700,000	$4,037,000,000
Facilities and equipment	1,721,171,000	2,500,000,000	2,138,615,000
Research, engineering, and development	170,163,000	190,000,000	195,000,000
Grants-in-aid for airports	[3] 1,425,000,000	[3] 1,500,000,000	[3] 1,800,000,000
Total	7,150,643,000	8,287,700,000	8,170,615,000

[1] Includes $9,970,000 derived by transfer and $734,000 carryover funds.
[2] Includes $10,000,000 derived by transfer.
[3] Limitation on obligations.

UNCOMMITTED TRUST FUND BALANCE

In the past, the Committee has expressed concern about the subsidy aviation users have received from general taxpayers because of the so-called "penalty clause" (Sec. 506(c) of the Airport and Airway Improvement Act of 1982). The Congressional Budget Office concluded that the penalty clause has resulted in general fund overpayments of FAA expenses and excess general fund interest payments to the trust fund totalling $5,300,000,000 since 1982. This is the major reason why the CBO made the following conclusion in its December 1988 study of the trust fund:

> The current accumulated surplus in the aviation trust fund is illusory. While this surplus appears to indicate that private-sector users have paid more in taxes than they have received in services, the opposite is, in fact, the case. The uncommitted balance in the trust fund has developed, ironically, because private-sector users of the aviation system have received more in capital and operating spending than they have paid in taxes.

This point also was discussed in the following testimony on May 11, 1989, of the Assistant Director of the Congressional Budget Office before the Senate Appropriations Committee:

> The Airport and Airway Trust Fund is particularly affected by provisions of law that restrict the level of trust fund financing of operations expenditures for the Federal Aviation Administration. These provisions tie the level of funding to the obligation limits for airport grants and the appropriations for capital and research expenditures. Generally speaking, the closer these appropriations are to their authorized levels, the greater the trust fund financing of operations. Largely because of technical problems in the modernization of the airway system, appropriations for capital expenditures have lagged behind authorizations. The result has been a low proportion of FAA spending being debited to the trust fund and an accompanying rise in its accumulated surplus.
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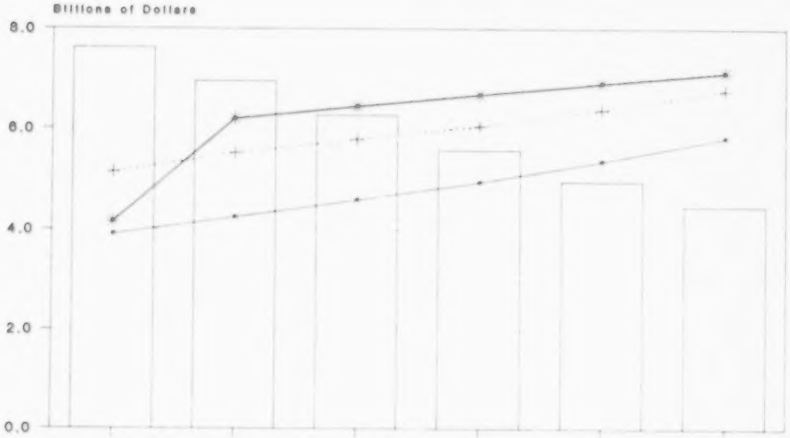
> * * * * * * *
>
> Total federal outlays for aviation programs have far outstripped aviation excise tax revenue, but the portion of this spending debited to the trust fund has been less than the tax revenue, thereby resulting in accumulating surpluses.

Any fair representation of the airport and airway trust fund financing situation cannot overlook the very large over-payments of FAA costs that general taxpayers have been forced to make due to the penalty clause. The Committee, therefore, is pleased that legislation (H.R. 5170) to repeal the penalty clause has been ordered reported by the Public Works and Transportation Committee. The Committee's recommendations for fiscal year 1991 reflect repeal of the penalty clause, less general fund subsidy of private-sector users, and a $700,000,000 reduction in the trust fund's uncommitted balance.

As the following chart indicates, this balance will continue to decrease in subsequent years. Fiscal year 1992 to 1995 income and program levels represent current services projections.

TRUST FUND INCOME AND PROGRAM LEVEL

Airport and Airway Trust Fund



	1990	1991	1992	1993	1994	1995
TAXES	3.9	4.2	4.6	4.9	5.4	5.8
INCOME	5.1	5.5	5.8	6.0	3.4	6.8
PROGRAM LEVEL	4.2	6.2	6.4	6.7	6.9	7.1
SURPLUS	7.6	6.9	6.3	5.6	4.9	4.5

Source: US DOT

AVIATION ACCIDENT RATES

The 1989 fatal accident rate of U.S. scheduled air carriers operating under 14 CFR 121, i.e., operations involving large passenger aircraft and all-cargo aircraft, was 0.077 per 100,000 aircraft hours. This is the highest rate in the past 10 years and represents a significant increase from the 0.019 rate in 1988. The scheduled air carrier accident rate of 0.328 per 100,000 departures in 1989 was lower than the 0.412 recorded in 1988. It should be noted that the Pan American Airlines accident in Lockerbie, Scotland was the result of an act of sabotage and is therefore not included in the rate calculations. Nonscheduled air carriers had three fatal accidents in 1989 compared to none in 1988.

Commuters—scheduled carriers operating smaller airplanes on short haul or regional routes under 14 CFR 135—had an accident rate in 1989 of 0.882 per 100,000 aircraft hours, which was slightly below the 1988 rate of 0.933. The number of fatal scheduled commuter accidents in 1989 was five, an increase of three over the previous year. The 31 fatalities in 1989 were 10 above the comparable fiscal year 1988 total.

On-demand air taxi (small aircraft operating in non-scheduled service) accidents increased for the second consecutive year to 110 in 1989 compared to 98 in 1988. The 80 fatalities in 1989 were 22 more than in 1988. The accident rate of 3.83 per 100,000 aircraft hours was also higher than the 3.45 rate of 1988. However, the fatal accident rate was below the 0.95 recorded in 1988.

In 1989, for the fifth consecutive year, general aviation recorded fewer than 3,000 accidents and under 1,000 fatalities. There were 2,167 total accidents in 1989, 420 of them fatal, and 763 fatalities. This produced respective total and fatal accident rates of 7.25 and 1.40 per 100,000 aircraft hours, down 9.0 percent and 7.9 percent from 1988.

The Committee recognizes that there are factors other than accidents and fatalities that need to be considered in determining the safety of our aviation system. These other factors include items such as controller operational errors, runway incursions, near midair collisions, and pilot deviations. The Committee also recognizes that aviation accidents and fatalities vary from year to year and that some classes of air carriers may have significantly different fatality levels for the current calendar year.

The following table summarizes aviation accidents, fatalities, and rates for U.S. air carriers and general aviation for 1989:

ACCIDENTS, FATALITIES, AND RATES—AIR CARRIERS AND GENERAL AVIATION 1989
(PRELIMINARY DATA)

	Accidents		Total fatalities	Aircraft hours flown	Departures	Accident rates			
						Per 100,000 aircraft hours		Per 100,000 departures	
	Total	Fatal				Total	Fatal	Total	Fatal
Air Carriers Operating Under 14 CFR 121:									
Scheduled [1]	24	8	131	10,440,000	7,315,000	0.230	0.077	0.328	0.109
Nonscheduled	4	3	147	610,000	310,800	0.656	0.492	1.290	0.968
Air Carriers Operating Under 14 CFR 135:									
Scheduled [2]	18	5	31	2,040,000	2,900,000	0.882	0.245	0.621	0.172
Nonscheduled	110	23	80	2,870,000	([3])	3.83	0.80	.....	.....
General Aviation [4]	2167	420	763	29,900,000	([3])	7.25	1.40	.....	.....

[1] One suspected sabotage accident excluded from total and fatal accident rates.
[2] Rates are based on all accidents, including those involving operators not reporting traffic data to the Research and Special Programs Administration (RSPA).
[3] Data not available.
[4] Includes accidents involving U.S. registered civil aircraft flown under rules other than 14 CFR 121 and 14 CFR 135.
Source: Federal Aviation Administration (FAA).

OPERATIONS

	Appropriation	*By transfer*
Appropriation, fiscal year 1990	$3,823,605,000	($9,970,000)
Budget estimate, fiscal year 1991	4,087,700,000	(10,000,000)
Recommended in the bill	4,037,000,000	(.....)
Bill compared with:		
Appropriation, fiscal year 1990	+213,395,000	(−9,970,000)
Budget estimate, fiscal year 1991	−50,700,000	(−10,000,000)

The Committee recommends $4,037,000,000 for the operations activities of the Federal Aviation Administration. This includes $1,994,346,000 to be derived from the airport and airway trust fund and represents an increase of $213,395,000 over the amount appropriated for similar activities in fiscal year 1990. The Committee has not approved the requested transfer authority of $10,000,000 for the re-employed annuitants program. The authorization for this program expired on December 31, 1989.

This appropriation provides funds for the operation, maintenance, communications, and logistical support of the air traffic control and air navigation systems. It also covers the administrative and managerial costs for the FAA's regulatory, airports, medical, and engineering and development programs.

The operations appropriation includes the following major activities: (1) operation on a 24-hour daily basis of a national air traffic system; (2) establishment and maintenance of a national system of aids to navigation; (3) establishment and surveillance of civil air regulations to assure safety in aviation; (4) development of standards, rules and regulations governing the physical fitness of airmen as well as the administration of an aviation medical research pro-

gram; (5) administration of the research and development program; and (6) administration of the federal grants-in-aid program for airport construction.

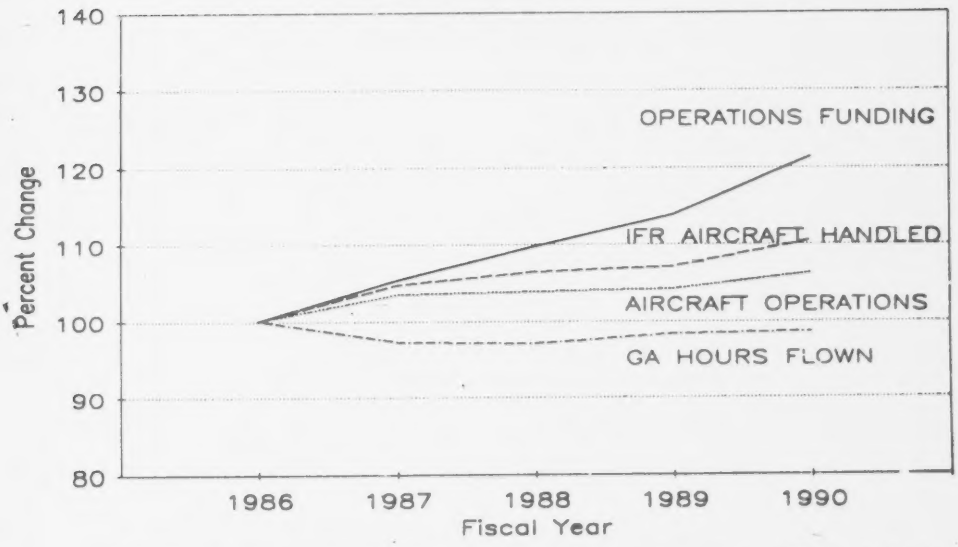
The following table summarizes the fiscal year 1990 appropriations, fiscal year 1991 budget estimates and Committee recommendations:

	Fiscal year 1990 appropriation	Fiscal year 1991 budget estimate	Recommended in the bill
Operation of air traffic control system	$1,712,868,000	$1,853,241,000	$1,856,681,000
(Positions)	(27,933)	(27,791)	(27,791)
NAS logistics support	206,304,000	217,162,000	170,305,000
(Positions)	(1,525)	(1,579)	(1,579)
Maintenance of air traffic control system	713,700,000	751,172,000	751,172,000
(Positions)	(10,445)	(10,736)	(10,736)
Leased telecommunications services	267,638,000	283,861,000	277,628,000
Administration of aviation standards	[1] 421,266,000	470,438,000	470,038,000
(Positions)	(6,673)	(7,336)	(7,236)
Development direction	14,921,000	15,321,000	15,321,000
(Positions)	(140)	(150)	(150)
Administration of airports program	37,716,000	38,920,000	38,920,000
(Positions)	(521)	(530)	(530)
Direction, staff and supporting services	128,857,000	130,961,000	130,961,000
(Positions)	(1,166)	(1,180)	(1,180)
Human resource management	290,120,000	296,086,000	300,086,000
(Positions)	(1,398)	(1,460)	(1,460)
Headquarters administration	30,949,000	31,838,000	31,838,000
(Positions)	(395)	(400)	(400)
Management initiatives		−1,300,000	−5,950,000
Total, operations	[1] 3,824,339,000	4,087,700,000	4,037,000,000
(Total positions)	(50,196)	(51,162)	(51,062)

[1] Includes $734,000 carryover.

Under the Committee recommendation, funding for operations activities, including headquarters administration, would increase by nearly 6 percent over the fiscal year 1990 level. This recommendation continues the recent trend of large increases for these activities. Since fiscal year 1986, the growth in constant dollars of this appropriation has exceeded the growth in the major FAA workload activity measures. The following chart, provided by the FAA, shows the comparative growth of the Operations appropriation (in constant dollars) and several commonly used aviation activity measures:

COMPARATIVE RATES OF GROWTH: 1986 - 1990
Operations Funding Vs
Selected Aviation Activity Measures
(1986 = 100)



Operations Funding index based on constant 1982 dollars.

OPERATION OF AIR TRAFFIC CONTROL SYSTEM

The Committee recommends $1,856,681,000 and 27,791 positions for the operation of a national system of air traffic control and flight service facilities. The operation of these facilities is designed to assure the safety, reliability and regularity of flight operations. During fiscal year 1991 it is expected that this system will control a daily average of 176,712 landings and takeoffs and 131,507 instrument rule flights, and will provide an estimated 123,288 daily flight services. The system currently handles a daily average of more than 1,300,000 revenue passengers.

The Committee recommendation represents an increase of $143,813,000 over fiscal year 1990 and includes the following amounts:

Aeronautical charting	$2,927,000
Annualization, inflation and other nondiscretionary changes minus program reductions	123,802,000
Air traffic controller staff increase	10,144,000
Change of station moves (160 additional moves)	5,000,000
New York TRACON (training and overtime)	900,000
Contract tower program	140,000
Assessment of enroute sector and terminal air traffic control capacity	900,000
Total	143,813,000

The major functions under this activity are as follows:

Air Traffic Control Centers and Towers.—The Committee recommends $1,466,941,000 and 22,613 positions for the operation of air route traffic control centers, terminal radar approach control facili-

ties, airport traffic control towers, and certain ancillary facilities. In fiscal year 1991, the FAA will operate an estimated 399 air traffic control towers and 24 air route traffic control centers. Under the budget request and Committee recommendation, air traffic controller employment would increase to a level of 17,495 personnel by September 30, 1991. This is 495 controllers above the level projected for September 30, 1990. A breakdown of the controller work force (CWF) follows:

CONTROLLER WORK FORCE

[End-of-year employment]

	Fiscal year 1987	Fiscal year 1988	Fiscal year 1989	(Est.) Fiscal year 1990	(Est.) Fiscal year 1991
Centers:					
FPL and Other Controllers	5,150	5,683	5,726	5,783	6,076
First Line Supervisors		739	788	796	829
Total Operational Controllers	5,150	6,422	6,514	6,579	6,905
Developmental Pipeline	1,860	1,023	1,112	1,123	1,133
Air Traffic Assts (ATA)	775				
Total Centers CWF	7,785	7,445	7,626	7,702	8,038
Towers:					
FPL and Other Controllers	6,212	6,769	7,134	7,205	7,284
First Line Supervisors		1,260	1,368	1,382	1,416
Total Operational Controllers	6,212	8,029	8,502	8,587	8,700
Developmental Pipeline	762	962	704	711	757
Air Traffic Assts (ATA)	674				
Total Towers CWF	7,648	8,991	9,206	9,298	9,457
Total:					
FPL and Other Controllers	11,362	12,452	12,860	12,988	13,360
First Line Supervisors		1,999	2,156	2,178	2,245
Total Operational Controllers	11,362	14,451	15,016	15,166	15,605
Developmental Pipeline	2,622	1,985	1,816	1,834	1,890
Air Traffic Assts (ATA)	1,449				
Total Controller Work Force	15,433	16,436	16,832	17,000	17,495

The table above reflects the redefinition of CWF beginning October 1, 1987 (FY 1988). Specifically, the new definition of CWF includes first-line supervisors and traffic management coordinators and excludes air traffic assistants and FAA Academy trainees.

The bill includes $4,667,000, an increase of $140,000 over the budget estimate, for the contract tower program. The Committee is aware of persistent flight delays and safety concerns caused by inadequate radar coverage and air traffic control in the central Wisconsin area. The Committee endorses the proposal of the Central Wisconsin Airport Authority to enhance safety, increase aircraft operations and significantly improve the capacity of the central Wisconsin airspace. Under the proposal the airport will construct a level 1 air traffic control tower and the FAA will provide equipment and staffing for the tower. As such, the Committee directs the FAA to provide a total of $140,000 to staff and operate a level 1 contract air traffic control tower at the Central Wisconsin Airport (CWA) at Mosinee, Wisconsin to become operational by the summer of 1991. An additional $420,000 is included under the Facilities and Equipment appropriation for this facility.

The Committee expects the FAA to enter into a contract with the Central Wisconsin Joint Airport Board to: (1) operate a contract air traffic control tower at Central Wisconsin Airport, Mosinee, Wisconsin to become operational during the summer of 1991 and to operate seven days a week from 6:00 a.m. to 11:00 p.m.; (2) provide the training and certification for air traffic controllers employed by the airport for radar procedures; and (3) coordinate with CWA the establishment of air traffic control procedures for approach and departure control services to be provided by the CWA tower to central Wisconsin area airports.

The Committee also directs the FAA to consider contract operations for the tower at Joplin Airport, Missouri. Testimony indicates that a contractor could operate this tower 24 hours a day for less than it is currently costing the FAA to operate the facility for just 12 hours per day. The Committee expects the FAA to report by December 31, 1990, on the feasibility of including Joplin Airport in the contract tower program.

The Committee believes that the unique geographical characteristics combined with the planned consolidation of flight service stations justify the need for an air traffic control tower at Gallatin Field near Bozeman, Montana. As such, the Committee directs the FAA to construct and operate an air traffic control tower or to assist Gallatin Field officials in building a tower which would then be included in the FAA contract tower program.

The Committee is concerned that the classification of air traffic facilities for purposes of compensation is not current with the modern air traffic control system. Of particular concern are the workload and complexity of level III VFR towers given the large increase in the number of operations that some of these airports have experienced in recent years. The Committee recommends that the FAA undertake a systemwide review of this and other related compensation issues within the agency, including grade compression and regional disparities in the cost of living.

The Committee is concerned about increasing levels of air traffic delays in the New York and New Jersey area. To address this problem the Committee directs the FAA to establish a systematic plan to implement the New York-related recommendations of the Northeast Corridor System Safety and Efficiency Review. This plan shall include specific milestones for measuring progress and shall provide benchmarks for reporting to Congress on resolution of the delay problem.

In addition, the Committee directs the FAA to establish a focal point in FAA headquarters to oversee and expedite staffing improvements in the New York area air traffic control facility, with special attention given to improving staffing levels at the New York TRACON. The Committee believes these staffing levels can be improved by increasing the number of academy graduates assigned to the TRACON, establishing a program of contract training for newly assigned controllers at the TRACON, and by scrutinizing all requests for releases from controllers presently working at the TRACON. The bill includes an increase of $900,000 over the budget estimate for the contract training and additional overtime needed to meet the traffic and training requirements at the facility.

Flight Service Stations.—The Committee has approved the budget estimate of $239,191,000 and 4,200 positions for the flight service station component of the air traffic control system. The primary functions of the flight service station system are: (1) the provision of flight assistance (pre-flight, in-flight, and emergency), and (2) the collection and distribution of meteorological and aeronautical information. The number of flight services estimated to be handled during fiscal year 1991 is 45,000,000, a slight increase over the current fiscal year.

Planning, Direction, and Evaluation.—The Committee recommends $150,549,000 and 978 positions to support the Washington headquarters operations responsible for defining program objectives, formulating standards, and evaluating the effectiveness of regional operations. This subactivity also includes the national communications center, central flow control facility, national flight data center, and centralized programming group, as well as certain regional headquarters personnel.

The bill includes $14,630,000, an increase of $1,500,000 over the budget estimate, for the aeronautical charting program. The Committee is concerned that this program is not keeping up with technological advances in aviation navigation and, therefore, directs the FAA to use the additional funds to implement National Airspace Review (NAR) recommendations 1-6.2.23, 1-6.2.40, 1-6.2.41, 1-6.4.27, and 1-6.4.28 to enhance LORAN-C navigation and add three letter identifiers on sectional charts for airports.

Because enroute sector constraints constitute a major cause of air traffic delays, the Committee directs the FAA, in conjunction with system users, to undertake a comprehensive study to assess enroute sector and terminal air traffic control capacity. The Committee has added $900,000 for this assessment, which should include the development of recommendations and options to increase and improve enroute sector through-put. The options to be evaluated should include, but not necessarily be limited to, resectorization, conflict point reduction, modification of the existing preferred route program, and elimination of static daily restrictions. The FAA shall report its findings to the House and Senate Committees on Appropriations by March 31, 1991.

The Committee also directs the FAA to review the aviation needs of Southern West Virginia and to conduct an air space study of the Miami-San Juan area.

NAS LOGISTICS SUPPORT

The Committee recommends $170,305,000 and 1,579 positions for the NAS logistics support activity. This activity includes: (1) supply support for the National Airspace System and certain agency aircraft, and (2) agency-wide procurement, contracting and management of property, transportation, plant services and administrative services.

The Committee recommendation is $46,857,000 less than the budget estimate. Of this amount, $45,406,000 is related to GSA rental payments and the balance consists of reductions in utility costs, supply support, and routine building repairs.

MAINTENANCE OF AIR TRAFFIC CONTROL SYSTEM

The Committee recommends $751,172,000 and 10,736 positions for the maintenance of air traffic control and air navigation systems facilities. This activity provides for direct maintenance services, including direction and engineering related to the operation and maintenance of the National Airspace System.

The Committee has approved the field maintenance staffing level proposed in the budget request. As the following table indicates, field maintenance end-of-year employment would increase by 200 personnel:

FIELD MAINTENANCE STAFFING

	Fiscal year 1987 (actual)	Fiscal year 1988 (actual)	Fiscal year 1989 (actual)	Fiscal year 1990 (estimate)	Fiscal year 1991 (estimate)
Full time permanent positions	9,278	9,278	9,278	9,279	9,539
End-of-year employment	8,667	8,646	8,687	8,800	9,000

LEASED TELECOMMUNICATIONS SERVICES

The bill includes $277,628,000 for the leased telecommunications services of all operational and administrative FAA facilities. The amount recommended is $9,990,000 more than the fiscal year 1990 level, but $6,233,000 less than the budget estimate. The reduction from the budget estimate consists of the following amounts:

National Security Emergency Preparedness telecommunications system (limit FAA contribution to fiscal year 1990 level)	−$ 727,000
Defense Commercial Communications Office (limit increase to rate of inflation)	−3,500,000
Delays in NAS plan projects	−2,006,000
Total	−6,233,000

The Committee recognizes that the amount recommended may require a review of the number of individual circuits and the level of system redundancy, but the Committee continues to believe that additional management efficiencies are possible in leased telecommunications services. The Committee expects the FAA to continue to work toward reducing these costs and to reflect the savings achieved in future budget justifications.

ADMINISTRATION OF AVIATION STANDARDS

The Committee recommends $470,038,000 and 7,236 positions for administration of the aviation standards activity. The programs included under this activity are as follows:

	Fiscal year 1990 appropriation	Fiscal year 1991 budget estimate	Recommended in the bill
Aircraft certification	$51,617,000	$57,083,000	$57,083,000
Certification and inspection of aircraft operations and maintenance	206,235,000	231,470,000	231,470,000
Records servicing and analysis	3,974,000	5,626,000	5,626,000
Flight program and management of FAA aircraft	66,720,000	68,957,000	68,957,000
Planning, direction and evaluation	19,532,000	19,751,000	19,751,000
Civil aviation security	38,215,000	51,874,000	51,474,000

	Fiscal year 1990 appropriation	Fiscal year 1991 budget estimate	Recommended in the bill
Medical program	19,906,000	20,355,000	20,355,000
Aviation safety	15,067,000	15,322,000	15,322,000
Total	421,266,000	470,438,000	470,038,000

The Committee recommendation represents an increase of $48,772,000 over fiscal year 1990. This increase includes the following amounts:

Guard and security service for FOB–10A	$302,000
Annualization, inflation and other nondiscretionary changes minus program reductions	33,362,000
Safety inspectors, support and technical staff (306 positions)	6,159,000
Aircraft certification staff (35 positions)	1,080,000
Civil aviation security staff (164 positions)	6,145,000
Flight procedures staff (4 positions)	45,000
Drug enforcement activities (43 positions)	1,526,000
Drug abatement program (6 positions)	153,000
Total	48,772,000

Aviation safety inspectors.—The budget request and the Committee recommendation would provide for increases of 174 general aviation and 126 air carrier inspector positions. These new positions will increase the total number of aviation inspectors to 3,058 positions, an increase of 1,448 positions or 90 percent since fiscal year 1985. The aviation safety inspector work force is distributed as follows:

AVIATION SAFETY FIELD INSPECTORS AND SUPPORT PERSONNEL

	Fiscal year 1989 actual		Fiscal year 1990 estimated		Fiscal year 1991 estimated	
	Authorized positions	End-of-year employment	Authorized positions	End-of-year employment	Authorized positions	End-of-year employment
General aviation inspectors	1,429	1,335	1,603	1,496	1,777	1,671
Air carrier inspectors	1,029	976	1,155	1,079	1,281	1,204
Total, aviation safety inspectors	2,458	2,311	2,758	2,575	3,058	2,875
Support personnel	595	469	695	469	695	469
Total	3,053	2,780	3,453	3,044	3,753	3,344

The Committee has not approved an increase in support positions, since there will be 226 vacant positions at the end of fiscal year 1990 and no increase in support employment is projected in the budget for fiscal year 1991.

Foreign repair stations.—The FAA's 1988 rulemaking on foreign repair stations (FAR Part 145) has been the source of great controversy. However, the record shows that the agency has taken a cautious approach towards certification and rating of foreign repair stations under the new rule. New foreign repair facilities have, since the new rule, been certified to perform functions traditionally performed overseas under the pre-1988 rule. These functions are related primarily to the maintenance of aircraft and components used overseas and product support by foreign original equipment manufacturers (OEMs).

Testimony provided at the Secretary's hearing before the Committee states that the primary reason for the agency's cautious approach is that "the FAA lacks the staff to provide appropriate oversight." In addition, the FAA is not presently in a position to apply U.S. substance testing rules to foreign stations.

Neither of the above problems will be easily resolved. Given present budget constraints and a relatively less experienced inspector work force, the FAA's oversight resources for foreign repair stations may continue to be strained. The problems of application of drug-testing rules to foreign stations and mechanics are even more complex and difficult to resolve. Accordingly, based on the above considerations, the Committee expects that the FAA will continue the cautious approach to certification and rating of foreign repair facilities described above.

Minimum fuel.—The Federal Aviation Administration shall submit a text amendment to the International Civil Aviation Organization (ICAO), at the earliest opportunity, to include the paragraph and definition pertaining to minimum fuel as contained in the Airman's Information Manual for inclusion in ICAO Document 4444-RAC/501/11, Procedures for Air Navigation Services, Rules of the Air and Air Traffic Services.

Foreign national flight attendants.—The increasing use of foreign national flight attendants on U.S. carriers raises questions about passenger and crew safety. The FAA has no regulations addressing the communication skills of flight attendants whose first language is not English or establishing uniform safety training of foreign flight attendants, even though the safety role of flight attendants is undisputed.

Not only must flight attendants be able to communicate with passengers in an emergency, they must also be able to communicate with cockpit crew during takeoffs and landings and in situations such as inflight fires, medical emergencies, and highjack attempts or bomb threats. If a cockpit crew member must ask a flight attendant to repeat critical safety information, it takes time in which an accident might be averted or mitigated.

FAA standards for certification of pilots, navigators, and flight engineers not only require proficiency in spoken and written English but also provide that the Administrator must approve the certification of non-immigrant alien applicants. There are no similar standards for flight attendants, whether foreign or U.S. nationals.

The Committee therefore directs the Administrator to report, no later than March 1, 1991, on FAA regulations or procedures designed to assure that flight attendants are able to carry out their safety functions effectively, and also on steps that might be considered to strengthen that assurance. Issues to be considered should include but not be limited to certification of English language proficiency, limits on duty time, and standardization of training in safety functions.

Civil aviation security staffing.—The Committee has approved the budget request for 164 additional civil aviation security positions. These additional positions will provide for an expanded federal air marshal program, support enhanced domestic and foreign airport assessments and support the agency's explosives detection efforts.

DEVELOPMENT DIRECTION

The Committee recommends approval of the budget estimate of $15,321,000 and 150 positions for the planning, direction, development, monitoring, and coordination of the FAA's research, development, engineering, test, and evaluation program, excluding the portion relating to aviation medical research. The $400,000 increase over fiscal year 1990 includes only annualization, inflation, and other nondiscretionary cost increases.

ADMINISTRATION OF AIRPORTS PROGRAM

The bill includes $38,920,000 and 530 positions for administration of the airports program. The airports program covers the identification, planning, development, and safety certification of the nation's system of public airports.

The amount recommended represents a $1,204,000 increase over fiscal year 1990. The Committee has approved the budget request for an additional 9 positions to address the increased workload in areas such as airport noise policy and airport capacity and planning.

DIRECTION, STAFF, AND SUPPORTING SERVICES

The Committee recommends $130,961,000 and 1,180 positions for those administrative and housekeeping costs that support the operating programs of the agency. Included in this activity are costs for administrative payrolls, communications, administrative supplies, and certain other support items. The amount recommended is the same as the budget estimate and $2,104,000 more than the fiscal year 1990 level. The increase over fiscal year 1990 includes only annualization, inflation, and other nondiscretionary cost increases.

HUMAN RESOURCE MANAGEMENT

The bill includes $300,086,000 and 1,460 positions for the human resource management activity. This activity includes administration of FAA employee recruitment, compensation (including federal employees' compensation program payments and unemployment compensation), training, and labor-management relations programs.

The amount recommended includes $192,535,000 for FAA's centralized training program. The Committee recognizes the need for the FAA to improve the agency's recruitment, screening, and training programs and has provided a 64 percent increase in funding for centralized training since fiscal year 1988. The Committee expects the FAA to continue the agency's commitment to the Mid-American Aviation Resource Consortium in Minnesota and has included $4,000,000 for this purpose. These funds are to be used in Minnesota to support the air traffic controller training program.

The Committee understands that the FAA is examining the practicality of having established educational institutions carry out the screening and training of air traffic controller candidates, to supplement the processes carried out at the FAA Academy. The FAA will offer qualified graduates of those academic institutions positions as developmental controllers at operational facilities, when

and where staffing needs require hiring. The FAA plans to enter into agreements with a small number of accredited academic institutions during the coming two years. The anticipated agreements will specify the content of the academic programs and the performance to be expected of successful students, but will not provide federal funding. In implementing this program the Committee expects the FAA to select accredited institutions of higher education and other qualified training institutes on the basis of their capability to carry out the program, giving particular attention to an institution's provisions for the admission of women and minorities. The Committee expects that the FAA will evaluate this activity over a 5-year period and will expand it if the results are positive. The Committee strongly supports the FAA's efforts in this activity.

HEADQUARTERS ADMINISTRATION

The bill includes $31,838,000 and 400 positions for the headquarters administration activities of the FAA. This represents an increase of $889,000 over the fiscal year 1990 level. The activities to be financed under this activity are as follows: executive direction, communications control, public affairs, planning and policy, accounting, budget, civil rights, international aviation, and management and data systems.

MANAGEMENT INITIATIVES

The budget request and Committee recommendation assume savings of $1,300,000 related to A–76 studies. None of these savings will come from the controller work force or the maintenance of the air traffic control system. In addition, the Committee recommendation assumes savings of $3,600,000 from improved management of the change of station program and $1,050,000 in printing and mailing costs.

COMMUTER SLOT RULE

The Committee believes that certain provisions of the High Density Traffic Airports rule regarding commuter slots should be reviewed to determine if they meet current air transportation needs. Therefore, the Secretary is directed to promptly initiate a rulemaking to reevaluate the current rule regarding commuter slots, with due regard to the preservation of air service to small and medium-sized communities currently served with commuter slots at Chicago O'Hare International Airport. Alternatives should be evaluated which will enhance air carriers' ability to improve service, allow air carriers to take advantage of new technologies that will result in more efficient commuter air service, and respond to market changes, while preventing commuter slots from being reallocated to long distance service.

The Administrator shall submit a schedule to the Committee for the rulemaking on the commuter slot rule at Chicago O'Hare within 60 days. Any rulemaking on commuter slots shall not affect or delay finalization of the pending rulemaking on international slot allocations at O'Hare International Airport. The Administrator shall issue a final rule within 270 days after the passage of this Act.

BUDGET PRESENTATION

As in the past five fiscal years, the Committee has included a detailed breakdown of the operations appropriation. The Senate Appropriations Committee has also indicated that a more detailed format is needed for this appropriation (S. Report 98–179). In making these breakdowns, the Committee does not intend to reduce the management flexibility of the Administrator. The Committee recognizes that some adjustments might be required to deal with currently unanticipated problems. The Committee, however, expects that, to the greatest extent possible, the recommended allocations will be followed and that any variations from these levels will be discussed in advance with the House and Senate Committees on Appropriations. The Committee also expects to receive timely quarterly reports on the obligations incurred for each activity under the operations appropriation.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 1990	$1,721,171,000
Budget estimate, fiscal year 1991	2,500,000,000
Recommended in the bill	2,138,615,000
Bill compared with:	
Appropriation, fiscal year 1990	+417,444,000
Budget estimate, fiscal year 1991	−361,385,000

This account is the principal means for implementing the comprehensive National Airspace System (NAS) Plan to modernize and improve air traffic control and airway facilities through the year 2000. This account also finances major capital investments required by other agency programs, experimental research and development facilities, and other improvements to enhance the safety and capacity of the airspace system.

The Committee recommends an appropriation of $2,138,615,000 for the installation of new equipment and the construction and modernization of facilities for the federal airway system. This represents a 24 percent increase over the amount provided in fiscal year 1990. The budget requested $2,500,000,000, a 45 percent increase.

F&E FUNDING DISTRIBUTION

The $2,138,615,000 appropriation for facilities and equipment is to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1991 request	Fiscal year 1991 recommended
Air Route Traffic Control Centers:		
Long Range Radar	$75,200	$45,000
Radar Microwave Link	21,000	.....
NEXRAD Radar	24,736	20,736
Improve En Route Facilities	14,909	14,908
Adv Automation System (AAS)	556,300	540,500
En Route Software Dev	10,800	8,000

[In thousands of dollars]

	Fiscal year 1991 request	Fiscal year 1991 recommended
Central Weather Processor	10,000	7,500
Aeronautical Data Link	10,000	7,000
Improve En Route Automation	5,000	5,000
Automatic Dependent Surv	6,745	6,745
Provide NADIN II	4,500	4,500
ARTCC Imp/Plant Modernization	46,194	42,000
Data Multiplexing Network	8,000	8,000
Comm Facilities Consolidation	2,000	2,000
Improve En Route Comms	6,368	6,368
Upgrade Traffic Mgmt System	17,000	17,000
Voice Switching/Control System (VSCS)	185,100	126,100
Critical Comms Expansion	12,000	12,000
High Capacity Voice Recorders	9,100	9,100
Air-Ground RFI Elimination	3,500	3,500
Establish RCFs	3,000	3,000
Expand/Relocate RCFs	3,000	3,000
SATCOM Circuit Backup	3,600	3,600
Alaskan NAS Comm System	12,000	12,000
Subtotal	1,050,052	907,557
Airport Traffic Control Towers:		
TDWR Radar	83,700	83,700
Mode S	37,000	21,200
Terminal Radar Syst Improve	5,900	9,900
Airport Surv Radar (ASR)	47,372	45,000
Terminal NEXRAD	5,000	.....
Precision Runway Monitors	10,550	10,550
ASDE Structural Mods	6,000	6,000
L.A. Basin Facility Consol	76,100	66,000
Austin Airport	850	850
Mode C Intruder	46,000	41,000
Dallas/Fort Worth Airport	40,000	10,000
Terminal Software Dev Support	7,600	2,954
RMM Capability	25,000	10,000
Replace Terminal ATC Facilities	70,500	70,500
ATCT/TRACON Modernization	16,657	22,077
Tower Integration Program	1,650	1,650
Interim Support Plan (ISP)	99,000	88,200
Terminal Comms Improvement	14,171	14,171
New Denver Airport (F&E)	60,000	60,000
Tower Comm System (TCS)	23,000	.....
Emergency Transceivers	5,000	5,000
Radio Control Equipment	16,800	16,800
TRACON Facility Establishment	1,500	1,500
Subtotal	699,350	587,052
Flight Service Facilities:		
FSS Modernization	47,800	47,300
VHF Direction Finder Network	8,000	8,000
Flight Service Facility Imp	1,529	1,132
WMSC Replacement	5,000	.....
ASOS—Flt Service Facilities	6,472	6,472
Direct User Access Terminal	15,000	11,000
Subtotal	83,801	73,904
Air Navigation Facilities:		
VOR/DME	29,441	21,725
LORAN–C Monitor System	1,000	1,000
Global Positioning System (GPS)	800	800

[In thousands of dollars]

	Fiscal year 1991 request	Fiscal year 1991 recommended
NDB Facilities	2,615	2,615
Microwave Landing System (MLS)	35,200	11,100
Approach Lighting System Imp (ALSIP)	12,500	12,500
ASOS—Air Nav Facilities	30,100	30,100
Visual Navaids	15,989	15,989
ILS Category I Establishment	16,700	22,588
ILS Replacement	25,000	26,000
Runway/Visual Range	5,776	5,776
Auto Flt Procedures Dev	4,250	4,250
Subtotal	179,371	154,443
Housing, Utilities, and Miscellaneous Facilities:		
National Radio Comms Syst	2,300	2,300
Buildings and Equipment	24,367	19,000
Airport Datum Monument	1,500	1,500
Computer-Based Instruction	2,900	2,900
Electrical Power Systems	9,733	9,733
Fuel Storage Tank Program	10,000	10,000
ADP Facilities Mgmt (CORN)	25,000	15,000
Employee Safety for ATCTs	6,500	6,500
Maintenance Control Centers	5,200	5,200
Land/Easement Purchase	3,000	3,000
Auto Document Dev. & Maint	1,900	1,900
System Eng and Support	111,000	108,600
Air Nav/ATC System Support	7,500	7,500
Monroney Aeronautical Ctr Lease	8,204	8,204
Logistics Support Services	6,300	6,000
Air Navaid/ATC Facilities Imp	3,500	3,500
Frequency/Spectrum Engineering	1,900	.....
Human Resource Mgmt Plan	1,500	1,500
PCB Software	3,800	3,800
Dynamic Ocean Track System	285	285
Contract Spt—Mgmt Control	3,984	6,984
Independent OT&E Support	4,000	4,000
HAZMAT Management	15,000	15,000
Airmen/Aircraft Registry Syst	10,000	10,000
Contract Support Services	4,600	2,000
Aviation Safety Analysis System (ASAS)	25,200	20,000
NAS Mgmt Automation	14,200	14,200
Mid-American Av Res Consortium	.....	3,000
Transition Planning & Eng	3,000	.....
Subtotal	316,373	291,606
Aircraft and Related Equipment:		
Procure Long-Range Aircraft	18,600	.....
Flight Inspection B–727	2,795	2,795
Flight Inspection CV–580	3,200	3,200
Marker Beacon Systems	470	470
Voice/Flight Data Recorders	2,620	2,620
R&D CV–580	2,200	2,200
Subtotal	29,885	11,285
Development, Test and Evaluation:		
FAA Tech Ctr—Lease	5,290	5,290
Utility Plant Modernization	1,800	1,800
Turbine Rotor Burst Test Facility	400	400
General Airport Imps	1,300	1,300
System Spt Lab Modernization	4,700	4,700
Tech Ctr R&D Lab Establish	2,000	2,000

[In thousands of dollars]

	Fiscal year 1991 request	Fiscal year 1991 recommended
Special Component Eval System	550	550
Comm System Modernization	230	230
Subtotal	16,270	16,270
Personnel and Related:		
Facility Establish/Improve	114,410	114,410
Flight Inspection	1,625	1,625
Factory Inspection/Acquisition	6,313	6,313
Aeronautical Center	2,550	2,550
Subtotal	124,898	124,898
Account-Wide Adjustments:		
Support contracts		−8,400
Prior year unobligated		−20,000
Subtotal		−28,400
Total Appropriation, F&E	2,500,000	2,138,615

AIR TRAFFIC CONTROL MODERNIZATION DELAYS

Significant delays in the FAA's NAS Plan are well known. Although the FAA has consistently noted that it would overcome this problem once systems were under contract, schedule slippages have continued and, in some cases, gotten worse. The Committee received testimony from GAO that during this past year alone, 8 of 12 major systems had experienced delays of at least 200 calendar days. Thus it is apparent that the FAA has made little progress. The Mode S surveillance and communications system is a case in point. Although the FAA awarded a production contract in 1984, the agency still has not received a working system. These problems can be directly linked to inadequate development and testing prior to awarding the contract.

NAS PLAN STATUS

The following table indicates the implementation plan and cost estimates for the 12 major system acquisitions of the NAS Plan, based on data supplied by the FAA and GAO, and highlights the continuing delays discussed above:

Program	[1] 1981 Implementation date	1983 Implementation date	[2] Current Implementation date	Projected completion date	Estimated total cost (millions)
Advanced automation system	1988	1990	[3] 1994	[4] 2000	$4,430.9
Voice switching and control system	1988	1989	1992	1994	892.4
Air route traffic control center modernization		([5])	[6] 1994	[7] 1997	332.0
Microwave landing system	1983	1985	1990	1992	1,112.8
Central weather processor	1985	1990	[8] 1990	[9] 1996	134.9
Flight service automation system	1983	1984	1990	1994	474.3
Radio communication links	1983	1985	1986	1991	281.3
Long-range radar	1987	1988	1993	1995	349.4
Airport surveillance radar (ASR–9)	1985	1985	1989	1992	700.8
Mode S	1986	1986	1991	1995	495.3

Program	[1] 1981 Implementation date	1983 Implementation date	[2] Current Implementation date	Projected completion date	Estimated total cost (millions)
Terminal doppler weather radar			1993	1996	348.6
Automated weather observing system	1983	1986	[10] 1989	[11] 1994	189.5

[1] Implementation date means first site implementation date.
[2] Current means as of January 1990.
[3] Date for Initial Sector Suite System used.
[4] Date for Tower Control Computer Complex used.
[5] The 1983 NAS Plan addressed only modernization while the 1989 NAS Plan includes both modernization and expansion of the ARTCCs.
[6] Design engineering completed milestone used instead of first site implementation.
[7] Construction and modernization completed milestone used instead of last site implementation.
[8] Date for Meteorologist Weather Processor used.
[9] Date for Real Time Weather Processor used.
[10] Date for Automated Weather Observing System portion of AWOS project used.
[11] Date for Automated Surface Observing System portion of AWOS project used.

GROWTH IN MODERNIZATION COSTS AND CONTRACTORS

As a result of schedule slippages in NAS Plan projects, the cost to modernize the ATC system has continued to grow. This year's request of $2,500,000,000 represents an unprecedented 45 percent increase over fiscal year 1990. The Committee is concerned that new projects added to FAA's plan have not received the necessary scrutiny. For example, the largest of these new projects, the Interim Support Plan (ISP), was included in the budget before the agency's normal review process was conducted. The Committee agreed to fund the project in fiscal year 1989 following the FAA's claim of extreme urgency. GAO found that the FAA took little action when the agency's own review process showed ISP projects were not cost-beneficial. Now, most of the ISP projects are behind schedule and the appropriated funds are unspent. As a result of poor planning, the FAA sees the need for more projects to supplement the ISP.

Another consequence of the growth in ATC modernization requirements is the FAA's increased use of support contractors. The FAA recently awarded a system engineering contract for its automation projects, including the Advanced Automation System. Some of the types of tasks in this contract appear to be similar to those of the FAA's Systems Engineering and Integration Contractor (SEIC). The Committee is concerned about how additional players will affect the role of the SEIC as the FAA's partner in ATC modernization. Given the ongoing nature of ATC modernization, the FAA should give consideration to developing in-house systems engineering expertise rather than expanding support contracts.

CAPITAL INVESTMENT PLAN

The FAA has taken some steps to alleviate its ATC modernization management deficiencies. The Committee is encouraged by the recent emphasis on strengthening procurement oversight and conducting independent testing. The Committee is also pleased that the FAA will expand its ATC modernization requirements into a new Capital Investment Plan (CIP). The FAA considers the CIP to be a rolling plan that recognizes the changing needs of modernization. While recognizing that the FAA needs to remain flexible, the Committee believes that the agency must avoid the types of problems associated with the ISP. Therefore, the Committee expects that the FAA will properly develop and assess new initiatives, in-

cluding a clear demonstration of benefits and cost effectiveness, before their inclusion in the CIP. Additionally, the CIP should include updated specific goals in the areas of safety, capacity, and efficiency. Although the original NAS Plan contained some long-range measurable goals—such as doubling controller productivity by the year 2000—they have not been recently updated and do not lend themselves to measurement in the near term. If the FAA expects to receive the large increases in funding it has planned, the CIP needs to clearly show what the agency wishes to accomplish relative to improvements in these mission areas. Subsequent updates should measure the FAA's performance against these goals.

TRENDS IN FIRST YEAR OBLIGATION RATES

The requested increase of 45 percent for this appropriation includes an underlying assumption that obligations in the first year of availability will rise dramatically. As shown in the chart below, the FAA is counting on first year obligations to increase from the fiscal year 1985–1989 average of 49 percent to 77 percent in fiscal year 1991.

	Appropriation (thousands)	First year obligation (percent)
Fiscal year:		
1991 estimate	$2,500,000	77.0
1990	1,721,171	(1)
1989	1,384,184	47.9
1988	1,108,056	46.6
1987	804,584	59.6
1986	895,081	37.1
1985	1,358,000	53.3

[1] Unknown.

Historic data show no evidence that those obligations will increase. The FAA states that such an increase is likely because an increasing proportion of funding is already under contract in firm options. However, most of these options have been in existence for the past couple of years and they have not produced high obligation rates. In addition, the largest item in the fiscal year 1991 request, the Advanced Automation System, is undergoing a significant contract restructure and schedule delay despite contract options which were believed firm at the time the contract was signed in 1988. The Committee does not find the FAA's estimate of obligations to be realistic. Therefore, since much of these funds would not be obligated until fiscal year 1992, funding at the level proposed for fiscal year 1991 is not necessary to meet program goals.

COMMITTEE'S PROGRAM RECOMMENDATIONS

Explanation of changes to the budget request and other report language is as follows:

SCHEDULE/OBLIGATION DELAYS

The following reductions are based upon schedule delays or obligational delays in the respective programs. These delays make full funding of the budget request unnecessary.

Program	*Reduction*
Long Range Radar	−$30,200,000
Advanced Automation System	−15,800,000
Aeronautical Data Link	−3,000,000
ARTCC Imp/Plant Modernization	−4,194,000
Voice Switching and Control System	−59,000,000
Airport Surveillance Radar	−2.372,000
Dallas-Fort Worth Airport Expansion	−30,000,000

PROGRAM/CONTRACT SAVINGS

The following reductions are made to account for changes to fiscal year 1991 funding requirements based upon changes in the program since submission of the budget request:

Program	*Reduction*
Terminal NEXRAD	−$4,000,000
L.A. Basin Facility Consolidation	−10,100,000
Interim Support Plan	−10,800,000

EXCESSIVE PROGRAM GROWTH/LOW PRIORITY PROGRAMS

The following reductions are made to reduce excessive budget growth in level of effort activities or defer low priority upgrades due to budget constraints:

Program	*Reduction*
En Route Software Development	−$2,800,000
Terminal Software Development	−4,646,000
Flight Service Station Modernization	−500,000
WMSC Replacement	−5,000,000
Direct User Access Terminal	−4,000,000
Buildings and Equipment	−5,367,000
Logistics Support Services	−300,000
Aviation Safety Analysis System	−5,200,000

LONG RANGE RADAR

The Committee recommends $45,000,000 for five long range radars, a reduction of $30,200,000 and four radars from the budget request. This program has experienced a 13-month delay since last year which has resulted in a substantial manufacturing backlog. Funds have already been appropriated for 17 radars, with the first one not scheduled for operational use for over two more years. According to the FAA, these radars require an average of 26 months to manufacture. Since the final four radars in the fiscal year 1991 request are not scheduled for operation until the period February–August 1995, their funding can be deferred at least one fiscal year without program impact. Funds are provided for radars at the following sites:

Long range radar sites	Operational date
Bucks Harbor, ME	Nov 1994.
El Paso, TX	Nov 1994.
Phoenix, AZ	Dec 1994.
Richmond, FL	Jan 1994.
Nashwauk, MN	Jan 1994.

RADAR MICROWAVE LINK

The Committee recommends no funding for the Radar Microwave Link, a reduction of $21,000,000 from the budget request. Funds are requested for a new product improvement called the "restoral switching system". The requirement to improve system availability by 1/100th of 1 percent (from 99.98 percent to 99.99 percent) is questionable in a high-deficit budget year, and in addition the acquisition strategy is indefinite.

ADVANCED AUTOMATION SYSTEM

The Committee is aware of the significant technical problems and schedule delays which the Advanced Automation System (AAS) program has experienced during the past year. Given these problems in the NAS Plan's largest program, the FAA is directed to submit a report by January 15, 1991, on the current status of this program, including a detailed discussion of the current prime contract restructure, remaining technical risks, and a funding profile which compares original and post-restructure costs by fiscal year. Estimated future costs should also be included.

In addition, the FAA is requested to provide in this report an assurance that hereafter the prime contractor will be required to report to the FAA separate costs for fixed-price and cost-plus contract line items. This was a serious weakness under the original plan which the FAA now intends to correct.

CENTRAL WEATHER PROCESSOR

The Committee recommends $7,500,000 for the Central Weather Processor, a reduction of $2,500,000. The reduction is to be allocated against the Real-Time Weather Processor project. According to data provided by the FAA, fiscal year 1991 funding for the CWP would be used to prepare production phase documentation. However, since this system isn't developed yet, and isn't even scheduled for critical design review until May 1994, production phase funding is clearly premature.

TERMINAL DOPPLER WEATHER RADAR

The Committee recommends the entire budget request of $83,700,000 to procure 9 additional Terminal Doppler Weather Radars. These radars are expected to be installed at the following locations:

Locations:	*Operational date*
Indianapolis, IN	Aug 1994
Nashville, TN	Sep 1994
Columbus, OH	Sep 1994
Tulsa, OK	Sep 1994
San Juan, PR	Oct 1994
Milwaukee, WI	Oct 1994
Oklahoma City, OK	Oct 1994
Chicago (Midway), IL	Nov 1994
Wichita, KS	Nov 1994

The Committee is providing full funding in acknowledgement of the important safety potential of these radars. However, it is noted that these funds are being provided almost 48 months in advance of the equipment's planned operational dates, when only 27 months is required for their manufacture. Since the schedule for this program has not slipped, it appears that the FAA agreed to make funding available under this contract in advance of when it was needed. The Committee directs the FAA to submit a report by January 15, 1991, explaining its acquisition and contract strategy for this program, and addressing the concern noted above. In particular, the FAA should explain why contract obligations have been tied to calendar dates instead of specific criteria for program performance.

EVANSVILLE, INDIANA WEATHER RADAR REQUIREMENTS

The Committee is aware of the concerns of the Evansville, Indiana area concerning the adequacy of current FAA and National Weather Service (NWS) plans for providing weather radar coverage for the area. It is the FAA's view that, based upon NWS determinations, the NEXRAD radar network will have tornado detection capability out to a range of 125 miles. Using this criterion, Evansville and southern Indiana will have adequate coverage from four NEXRAD radars located in Paducah and Louisville, Kentucky; Indianapolis, Indiana; and Cincinnati, Ohio. However, the Committee notes that the adequacy of these radars at such long distances is still open to dispute. Since determining the adequacy of tornado detection requirements is the responsibility of the National Weather Service, the Committee directs the FAA to work closely with the NWS to communicate and resolve these concerns, and to report the results when they are available.

TERMINAL RADAR IMPROVEMENTS

The Committee recommends an additional $4,000,000 for this program specifically for the installation of an ANR approach radar system at the Roswell, New Mexico airport.

PRECISION RUNWAY MONITORS

It is the Committee's understanding that the FAA will complete operational testing of the Quick Scan Radar this summer, and that an acquisition strategy for future procurement has not yet been developed. The Committee directs the FAA to submit a procurement plan for the Precision Runway Monitor program at the time of submission of the fiscal year 1992 budget, including separate procurement plans for the Quick Scan Radar and the Back-to-Back systems, if both are to be acquired. Assuming successful test results for the Quick Scan Radar, the Committee expects the FAA to either include funds in the fiscal year 1992 budget to acquire that system or offer an explanation of why funds are not included.

LOS ANGELES BASIN FACILITY CONSOLIDATION

Included in the budget request of $76,100,000 for this program is $9,000,000 for the procurement of real estate. Since submission of

the budget, the FAA has decided to locate this facility on land owned by the Department of Defense at the Miramar Naval Air Station in San Diego. Since real estate procurement is no longer envisioned, those funds are not needed. In addition, the FAA has $1,100,000 in program savings which can be used to offset fiscal year 1991 requirements.

MODE C INTRUDER

The FAA requested funds to reimburse the Mode C prime contractor for repairs to this system. However, since the prime contractor signed a firm fixed price contract for delivery of these systems, government reimbursement of cost overruns is neither necessary nor desirable.

DALLAS-FORT WORTH AIRPORT EXPANSION

The Committee recommends $10,000,000 for this program, a reduction of $30,000,000 based upon schedule delays. The FAA testified in hearings this year that only ten percent of the fiscal year 1990 appropriation had been obligated, with a resulting unobligated balance of over $45,000,000. Since the environmental impact statement is not scheduled for completion until September 1990, most of this funding will be available to address fiscal year 1991 requirements.

TERMINAL ATC FACILITY REPLACEMENT

The Committee recommends the budget request of $70,500,000 for this program. Funds are provided for facilities at the following locations:

Montgomery, AL
St. Louis, MO
Los Angeles, CA
Roswell, NM
San Diego, CA
Chicago (O'Hare), IL
Chicago (Midway), IL
Helena, MT
Newark, NJ
Kansas City, MO

AIR TRAFFIC CONTROL TOWER/TRACON MODERNIZATION

The Committee recommends an additional $5,420,000 for this program specifically for construction of a new control tower at the Jefferson County, Texas airport (+$5,000,000) and for equipping a new tower at the Central Wisconsin Airport, Mosinee, Wisconsin (+$420,000).

As discussed under the FAA Operations section, the Central Wisconsin Airport will construct a level 1 air traffic control tower and the FAA is to provide equipment and staffing. Under this appropriation, $300,000 is provided for the AMS–100 Tower Display System and an additional $120,000 is provided for weather, telecommunications and radio equipment. The AMS–100 will interface with an ARSR–3 radar which the FAA has scheduled for installation in the Central Wisconsin area in 1992 or 1993. The Committee expects the FAA to work with Central Wisconsin Airport authorities regarding site location of this radar.

TOWER COMMUNICATIONS SYSTEM

The Committee recommends no funding for the Tower Communications System, a reduction of $23,000,000 from the budget request. First, contract award for this system is not scheduled until 11 months into the fiscal year. Given the FAA's history of schedule delays, it is unlikely that this contract would be awarded in fiscal year 1991. Secondly, the FAA testified that they are now reconsidering the requirement for this system. Although total estimated costs are high—almost $150,000,000—the requirement for this new program has not been reviewed above the service director level. In addition, the FAA has stated that the current system could meet agency requirements until at least the mid-1990's. Thirdly, the budget requests funds to procure 40 systems. Since development of the budget, the FAA has decided not to procure any systems during fiscal year 1991. Therefore, notwithstanding the other concerns noted above, these funds are not needed.

SAN JUAN, PUERTO RICO CONTROL TOWER

In congressional action on the fiscal year 1990 Transportation Appropriations bill, the FAA was required to submit a report on the merits of a new control tower for the Luis Munoz Marin International Airport in San Juan, Puerto Rico. In its report, the FAA concluded that such a tower is needed, and will cost an estimated $10,000,000 to $15,000,000. The agency recognized that this project could be included in the Facilities and Equipment budget request, but instead recommended that the tower be constructed by the Puerto Rico Ports Authority, with FAA leaseback on an annual basis. The Committee notes that construction financing will be difficult to obtain when leaseback provisions are limited to one year at a time.

The FAA is directed to submit a detailed report on financing options for this tower to the House and Senate Committees on Appropriations by January 15, 1991. If funds are not requested for this tower in the fiscal year 1992 President's budget, the FAA should include in this report a statement of where the tower fits into the funding priority list of the FAA's Southern Region, as well as an explanation of why funds were not requested.

NATIONAL WEATHER GRAPHICS SYSTEM

The Committee remains deeply concerned about the FAA's proposal to purchase a new and very costly national weather graphics system. The Committee understands that this proposal could cost ten times more than updating a current system without improving the FAA's ability to provide weather graphics information. Therefore, the Committee directs the FAA to keep in place the current interim weather graphics system until the FAA can show the Committee that the new system will significantly improve the existing systems.

Language (Sec. 330) has been included in the bill which restricts the obligation of funds for a new national weather graphics system.

VOR/DME/VORTAC

According to current program data, the FAA will not need appropriations for Low Power TACAN Antenna procurement for the funded delivery period beyond March 1994 until fiscal year 1992. Many of the units requested for funding in fiscal year 1991 are scheduled for deliveries beyond that period. Therefore, funding is not necessary until fiscal year 1992.

MICROWAVE LANDING SYSTEM

The Committee recommends $11,100,000 for the Microwave Landing System (MLS), a reduction of $24,100,000 from the budget request. The recommended level is intended to fully fund the ongoing demonstration program and defer Category II/III prototype production.

Last year's conference agreement established a nine-point demonstration program with the express purpose of conducting significant developmental and operational tests to validate the requirement and feasibility of Category II/III MLS systems prior to production. The clear intent was to have adequate results from the testing program prior to making a production commitment. The Committee is still supportive of that agreement. However, the demonstration program has encountered some significant delays in three of the nine activities, and according to current schedules seven of the nine activities will not be completed until well into fiscal year 1991. Not enough test data are available today for the Committee to recommend funding a five-year manufacturing effort.

The Committee notes that this recommendation is entirely consistent with the House position taken last year. In its report on the fiscal year 1990 bill, the Committee recommended deferral of prototype production funding until completion of the demonstration program, and concluded by stating that "the Committee will not support procurement funds for Category II/III MLS systems until this demonstration program is completed."

In addition, the Committee is concerned that the FAA may not have adequate funding budgeted to execute these contracts. Although $22,000,000 is budgeted for the two contracts, the FAA estimates total costs at over $125,000,000. Since these efforts should not be funded incrementally under the full funding principle, the Committee cannot recommend making an initial commitment when sufficient funds to complete the activity have not yet been identified.

INSTRUMENT LANDING SYSTEM ESTABLISHMENT

The Committee recommends $22,588,000 for the establishment of Category I Instrument Landing Systems (ILSs), an increase of $5,888,000 over the budget request. The Committee provides these funds to establish ILS systems at the following sites:

Location	Runway
Chicago (O'Hare), IL	32R, 27R, 22R
Appleton, WI	3
Decatur, IL	6

Location	Runway
Valparaiso, IN	27
FAA Academy, OK	
Chadron, NE	19
Baltimore-Washington, MD	28
Keene, NH	2
Concord, NH	35
Laconia, NH	8
Fort Lauderdale, FL	9L
Panama City, FL	14
Rocky Mount, NC	4
Gulfport, MS	13
Esler Field, LA	26
Las Vegas, NV	25
Farmingdale, NY	14
Santa Ana, CA	19R
Bradford, PA	32
Latrobe, PA	23
Philadelphia, PA	27L
N. Philadelphia, PA	24
Alton, IL	29
Goodwin Field, El Dorado, AR	
Sacramento, CA	16L-34R
Spokane, WA	3
Connersville, IN	
Jonesboro, AR	5/23
Gwinnett, GA	
DuPage County, IL	
Lincoln, CA	15R
Scappoose Industrial Park, OR	
Bowerman Field, Hoquiam, WA	

INSTRUMENT LANDING SYSTEM REPLACEMENT

The Committee recommends $26,000,000 for the replacement of Instrument Landing Systems, an increase of $1,000,000 over the budget request. Funds are provided to replace ILS systems at the following sites:

Location	Runway
Dallas/Fort Worth	17L, 35R, 31R, 18R
Jackson, MS	15L
FAA Depot (Test Bed)	N/A
Boston, MA	04R
Moisant, LA	10
Minneapolis-St. Paul, MN	29L
LaGuardia, NY	22
J.F. Kennedy, NY	13L
St. Louis, MO	30R
Andrews AFB, MD	19R
Wichita, KS	01L
Anchorage, AK	06R
FAA Academy, OK	N/A
Bangor, ME	15
Nashville, TN	02L
Seattle, WA	16R
Philadelphia, PA	09R
Baltimore-Washington, MD	10
Fairbanks, AK	01L
Washington D.C. National, VA	36
Sacramento, CA	16R-34L

ILS—OLIVE BRANCH AIRPORT

The Committee directs the FAA to conduct a feasibility study of installing an ILS system or an ILS localizer at the Olive Branch Airport in Olive Branch, Mississippi. The Committee understands that a localizer is currently owned by the private sector and is available for installation. The FAA should work closely with state and local officials in development of this study, which is to be submitted no later than January 15, 1991.

COMPUTER RESOURCES NUCLEUS

The Committee recommends $15,000,000 for the Computer Resources Nucleus (CORN) project, a reduction of $10,000,000 from the budget request. The Committee expressed considerable concern last year over the FAA's proposed acquisition strategy and requirements for CORN. Due to these concerns and other program delays, the CORN contract still has not been awarded.

As a result of the GAO's recommendation that the CORN contract not be awarded, the FAA Administrator has conducted a thorough reexamination of the CORN approach, including an independent consultant review managed by the Executive Director for Acquisition. The Committee commends the FAA for giving serious attention to the GAO's findings and delaying the program until resolution of those concerns. The Committee also understands that the FAA plans to significantly restructure the CORN contract to address program concerns. For this reason, the Committee recommends further funding for CORN. When combined with an unobligated balance of $8,300,000, the recommended funding level should be sufficient to finance a restructured CORN program during fiscal year 1991. However, none of the funding provided in fiscal year 1991 or in prior fiscal years may be obligated for the CORN contract until thirty days following submission of a report from the Secretary of Transportation which describes CORN program plans (including contracting strategy, in-house staffing requirements, transition schedules and funding profiles) and an explanation of how those plans resolve concerns expressed by both the GAO and the FAA's independent CORN consultant.

SYSTEM ENGINEERING AND SUPPORT

The Committee recommends a reduction of $2,400,000 in this program based upon testimony that the FAA has historically overbudgeted SEIC award fees. The recommendation allows the historic earned award fee rate of 74 percent.

FREQUENCY/SPECTRUM ENGINEERING

The Committee recommends no funding for this project, a reduction of $1,900,000 from the budget request. It appears that this activity, to the extent that it is needed, is more appropriately funded

under "Research, Engineering and Development". However, this project also appears to duplicate ongoing activities of the Department of Defense and NASA.

CONTRACT SUPPORT—MANAGEMENT CONTROL

The Committee recommends an increase of $3,000,000 for Contract Support—Management Control. These funds are under the control of the Executive Director for Acquisition for contract studies and other activities essential for independent review and control of FAA acquisition programs. The Committee is very supportive of the Office of the Executive Director for Acquisition since it is clear from the FAA's record of acquisition problems that strong senior level review and greater management and budgetary discipline are needed. However, the Committee is concerned that the FAA's staffing plan and contract support for this office may not be adequate to provide the leadership and serious challenges to current acquisition plans which are necessary. Therefore, the Committee recommends additional funding for this office, and stipulates that such funding is to be under the control of the Executive Director for Acquisition, to be used for additional in-house staff or contract studies.

CONTRACT SUPPORT SERVICES

The Committee is concerned that FAA's proposed funding for the contracting out of production surveillance and contract administration activities at major prime contractor facilities may not be in the best interests of the government or in accord with OMB Circular requirements. Therefore, funding has been reduced for this program. The FAA should conduct such activities with in-house staff funded by the Operations appropriation.

MID-AMERICAN AVIATION RESOURCE CONSORTIUM

The Committee has added $3,000,000 to purchase equipment for the University of North Dakota's Center for Aerospace Science in support of the Mid-American Aviation Resource Consortium. Such funds shall be matched by state or university sources on a 50/50 basis.

TRANSITION PLANNING AND ENGINEERING

The Committee has deleted funds for this project. This activity is more effectively budgeted and carried out within the individual acquisition programs, instead of in a central account. This is especially important given the FAA's recent realignment, which placed individual responsibility for program success (including transition planning) on program managers. If individual program managers are to be held accountable, they should have budgetary control of the resources needed to ensure success.

LONG-RANGE INTERNATIONAL FLIGHT INSPECTION AIRCRAFT

The Committee recommends no funding for this new start, a reduction of $18,600,000 from the budget request. The Committee believes that before embarking on a program which will ultimately cost over $100,000,000, the FAA should explore more fully whether

an aircraft is available in the Department of Defense inventory to satisfy this requirement. This is especially valid since the DOD is a primary beneficiary of the program and is currently planning a significant force restructure which could result in excess aircraft available for other government uses.

In addition, the Committee notes that the FAA does not plan to award the contract for this aircraft until at least September 1991—11 months into the fiscal year. Given this planned schedule, funding can be deferred with little program impact until stronger justification is presented.

SUPPORT CONTRACTS

The Committee is advised that the FAA has $8,400,000 in unobligated fiscal year 1990 funding which was originally provided for a variety of support contracts that have subsequently been determined to be duplicative of other work. These funds can therefore be utilized to offset fiscal year 1991 funding requirements.

PRIOR YEAR UNOBLIGATED FUNDING

The Committee recommends reductions totalling $20,000,000 due to unobligated prior year balances which can be utilized to offset fiscal year 1991 funding requirements. These reductions are as follows: Terminal NEXRAD (−$5,000,000) and Computer Resources Nucleus (−$15,000,000).

Research, Engineering, and Development

(Airport and Airway Trust Fund)

Appropriation, fiscal year 1990	$170,163,000
Budget estimate, fiscal year 1991	190,000,000
Recommended in the bill	195,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+24,837,000
Budget estimate, fiscal year 1991	+5,000,000

The accompanying bill includes $195,000,000 for research, engineering and development programs to improve the national air traffic control system and to increase its safety and capacity to meet the air traffic demands of the future. This appropriation also finances the research, engineering, and development needed to establish or modify federal air regulations.

The following table shows the comparable amounts for fiscal years 1990 and 1991, including the amounts recommended in the bill:

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Air traffic control	$92,948,000	$103,746,000	$108,746,000
(System)	(15,511,000)	(14,899,000)	(14,899,000)
(Beacon)	(1,107,000)	(1,380,000)	(1,380,000)
(Aircraft separation assurance)	(7,359,000)	(10,576,000)	(10,576,000)
(Communications)	(12,708,000)	(11,084,000)	(11,084,000)
(System capacity and airports)	(28,725,000)	(33,773,000)	(33,773,000)
(Technology)	(7,638,000)	(8,362,000)	(12,000,000)
(Support)	(5,134,000)	(7,827,000)	(9,189,000)
(Rotorcraft/power life vehicles)	(4,109,000)	(4,018,000)	(4,018,000)

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
(Human systems and operations)	(10,542,000)	(10,731,000)	(10,731,000)
(Flight planning)	(115,000)	(1,096,000)	(1,096,000)
Advanced computer	17,778,000	19,141,000	19,141,000
(Advanced automation)	(7,512,000)	(4,963,000)	(4,963,000)
(ATC automation)	(10,266,000)	(14,178,000)	(14,178,000)
Navigation	2,630,000	3,359,000	3,359,000
Aviation weather	13,111,000	7,739,000	7,739,000
Aviation medicine	6,450,000	6,473,000	6,473,000
Aircraft safety and security	35,276,000	47,142,000	47,142,000
Environment	1,970,000	2,400,000	2,400,000
Total	170,163,000	190,000,000	195,000,000

AIR TRAFFIC CONTROL

The Committee recommends $108,746,000, an increase of $5,000,000 over the budget request, for the air traffic control activity. This activity applies existing technology to air traffic control problems to maintain the safe and efficient operation of the current system, and supports improvements to increase the system's productivity and capacity. This activity also includes programs designed to ensure that the airport/airway systems will meet the projected aviation requirements of the 1990s. Some of the major air traffic control programs funded in the bill include the operational testing of traffic alert and collision avoidance systems, continued development of a voice switching and control system, development of data link air/ground services, airport capacity research, satellite applications, and the overall systems engineering and direction for improving the air traffic control system.

Airport capacity research.—The Committee has approved the budget request of $33,773,000 under this heading to increase the level of attention and funding for airport research and development for capacity improvements. A lack of airport capacity has already become one of the primary causes of aviation congestion and delay and threatens to become an increasing safety hazard and constraint on the national air transportation system. According to Department estimates, 21 primary airports now experience more than 20,000 hours of annual flight delay and by 1997 another 12 airports will be experiencing this level of congestion unless their capacities are increased.

The recommended airport capacity funding is to pursue and accelerate high priority capacity projects, such as reducing required IFR spacing between parallel runways to 3,000 feet, reducing minimums for IFR operations to converging runways to near VFR minimums, establishing procedures for IFR operations to triple parallel runways, improving taxiway lighting systems, advancing terminal area automation, improving airport surface surveillance, continuing airport/airspace planning model development, improving airport pavements, and continuing wake vortex research.

Technology.—The Committee has added $3,638,000 under this account for satellite application research. The Committee is concerned that there does not appear to be a sense of evolution to satellite technology despite the fact that the aviation industry has al-

ready begun to take advantage of this new technology. The Committee directs the FAA to expedite its efforts to define an aggressive plan for transitioning to satellites, including an examination of potential savings in the NAS Plan from early transition to satellites. The satellite transition plan, in the form of a report to Congress, shall be submitted to the House and Senate Committees on Appropriations by September 30, 1991.

Support.—The Committee recommends $9,189,000, an increase of $1,362,000 over the budget, for research support. These funds are distributed as follows:

FAA/NASA cooperative programs	$1,035,000
Joint university program	310,000
Program support	2,808,000
R,E&D advisory committee	180,000
Small business innovation research program	1,000,000
Transportation Research Board	200,000
Technology transfer	500,000
Institute for Aviation Research at Wichita State University	2,000,000
Graduate-level research and education in aviation technology	1,156,000
Total	9,189,000

ADVANCED COMPUTER

The Committee recommends approval of the budget request of $19,141,000 for the modernization of the air traffic control system in order to accommodate future air traffic demands. The amount recommended includes $14,178,000 for air traffic control automation and $4,963,000 for in-house costs associated with the Advanced Automation System. Additional funding is provided under "Facilities and equipment" for the acquisition phase of the Advanced Automation System.

NAVIGATION

The bill includes $3,359,000 to modernize, expand, and improve the common navigation system facilities in the United States and in overseas areas where international agreements require U.S. participation. The major programs included under this activity involve the continued evaluation of the Global Positioning System as a replacement for existing VOR/DME systems and navigation system engineering. The amount recommended is the same as the budget estimate and $729,000 less than the fiscal year 1990 level.

AVIATION WEATHER

The bill incudes $7,739,000 to improve the acquisition, processing, dissemination, and display of aviation weather information. The funds are provided primarily to support the development of the terminal doppler weather radar, central weather processor, airborne wind shear sensor, and low level wind shear alert system programs. The amounts recommended for these programs are the same as the budget estimates.

AVIATION MEDICINE

The sum of $6,473,000 is recommended for conducting aeromedical research to identify and eliminate those physiological and psychological factors that are harmful to personnel engaged in operat-

ing the air traffic control system or that may jeopardize flight safety. The amount recommended is the same as the budget estimate and $23,000 more than the fiscal year 1990 appropriation.

AIRCRAFT SAFETY AND AVIATION SECURITY

The Committee recommends $47,142,000 for aircraft safety and aviation security research. This is the same as the budget estimate and $11,866,000 more than the fiscal year 1990 level.

The amount recommended includes $20,780,000 for the development and modification of regulations to promote flight safety of civil aircraft and $26,362,000 for the development of systems and devices to prevent and deter sabotage in the civil air transportation system. The Committee approves of the FAA's ongoing effort to develop a chemiluminscent walk-in system for explosives detection and believes that final development of this promising system should proceed. The Committee, therefore, recommends $2,500,000 for accelerating the completion of the walk-in chemiluminscent explosives detection system.

ENVIRONMENT

The bill includes $2,400,000 for air pollution and noise control research, primarily associated with FAA's certification and enforcement requirements. The amount recommended is the same as the budget request and $430,000 more than the fiscal year 1990 appropriation.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

Appropriation, fiscal year 1990	($1,190,000,000)
Budget estimate, fiscal year 1991	(1,277,000,000)
Recommended in the bill	(1,400,000,000)
Bill compared with:	
Appropriation, fiscal year 1990	(+210,000,000)
Budget estimate, fiscal year 1991	(+123,000,000)

The Committee recommends a liquidating cash appropriation of $1,400,000,000, an increase of $123,000,000 over the budget estimate, for grants-in-aid for airports. The recommended increase over the budget is to provide sufficient liquidating cash to cover the estimated fiscal year 1991 outlay impact of the increased obligation ceiling.

LIMITATION ON OBLIGATIONS

The bill includes a limitation on obligations for airport development and planning grants that are financed under contract authority. The limitation recommended for fiscal year 1991 is $1,800,000,000. This is $375,000,000 more than the fiscal year 1990 level and $300,000,000 more than the budget estimate. The Committee believes this increase is necessary to ensure that the airport component of our aviation system develops along with the airway portion. Both the Office of Technology Assessment and the FAA

have indicated that airports will be the limiting factor to aviation growth if no actions are taken.

Within the obligation level recommended, the Committee urges that priority be given to grant applications involving the construction or further development of the following airports:

Allentown-Bethlehem-Easton International Airport, Pennsylvania
Aliceville Airport, Alabama
Ardmore Industrial Airpark, Oklahoma
Baer Field, Indiana
Baltimore-Washington International Airport, Maryland
Belmont-Tishomingo County Airport, Mississippi
Birmingham Municipal Airport, Alabama
Bradley International Airport, Connecticut
Colorado Springs Municipal Airport, Colorado
Decatur Airport, Illinois
Gary Regional Airport, Indiana
Greater Buffalo International Airport, New York
Greenwood-Leflore Airport, Mississippi
Grinnell Municipal Airport, Iowa
Hull Airport, Texas
Johnstown-Cambria Airport, Pennsylvania
Jonesboro Municipal Airport, Arkansas
Lee County Airport, Virginia
Los Angeles International Airport, California
Macon Municipal Airport, Mississippi
Mahlon Sweet Airport, Oregon
Marin County (Gnoss Field), California
Meigs Field, Illinois
Miami International Airport, Florida
Midway Airport, Illinois
Nashville Metropolitan Airport, Tennessee
New Orleans International Airport, Louisiana
Niagara Falls International Airport, New York
O'Hare International Airport, Illinois
Opa Locka Airport, Florida
Pearson Airpark, Washington
Philadelphia International Airport, Pennsylvania
Red Bay Municipal Airport, Alabama
Rockford Airport, Illinois
Sacramento Metropolitan Airport, California
Sarasota-Bradenton Airport, Florida
Scappoose Industrial Airpark, Oregon
South Lake Tahoe Airport, California
Springfield Airport, Illinois
Standiford Field, Kentucky
Taos Municipal Airport, New Mexico
Tompkins County Airport, New York
Water Valley Municipal Airport, Mississippi
Westmoreland County Airport, Pennsylvania

LETTERS OF INTENT

The bill also has a separate limitation on obligations for those letters of intent issued prior to July 1, 1990. The recommended limitation assumes the following fiscal year 1991 grant allocations:

John Wayne Airport, California	$3,250,000
New Denver International Airport, Colorado	25,000,000
Orlando International Airport, Florida	10,539,200
Indianapolis International Airport, Indiana	4,000,000
Greater Cincinnati International Airport, Ohio	7,155,000
Kansas City International Airport, Missouri	6,653,600
McCarran International Airport, Nevada	6,500,000
Nashville Metropolitan Airport, Tennessee	5,850,000
New Austin Airport, Texas	13,500,000

Dallas/Fort Worth International Airport, Texas	12,500,000
Henry County/Baer Creek Airport, Georgia	1,613,700
Falcon Field, Georgia	2,126,700
DuPage County Airport, Illinois	9,000,000
Stewart International Airport, New York	2,821,700
Greater Pittsburgh International Airport, Pennsylvania	7,000,000
Total	117,509,900

DETROIT CITY AIRPORT

The Committee is concerned about the costs and economic feasibility of the proposed expansion of City Airport in Detroit, Michigan. The Committee therefore directs that the FAA not approve grants requested for the proposed expansion of City Airport, Michigan until the General Accounting Office can conduct an independent study of the costs and economic feasibility of the project.

BRADLEY INTERNATIONAL AIRPORT

The Committee notes that Bradley International Airport is included in the priority list with the understanding that Bradley and the State of Connecticut will make every effort to provide full, voting membership on the Bradley International Airport Commission to western Massachusetts representatives. The Committee recognizes that Bradley International Airport was established to serve communities in both Connecticut and western Massachusetts, and is concerned that western Massachusetts airport users currently lack full representation on the Commission. The Committee directs the Secretary to work with Bradley and the State of Connecticut to secure full, voting membership on the Commission for representtives from western Massachusetts.

JOINT COMMISSION

The Committee recognizes the contribution that surplus military facilities could make to the national air transportation system. Such facilities could significantly benefit civil aviation system capacity in response to the existing fiscal and environmental concerns and anticipated growth in air travel demand.

The Secretary of Transportation is directed to establish, in consultation with the Secretary of Defense, a commission whose task will be to evaluate the potential benefits and impact of military base closures and realignments on the national civil air transportation system. This evaluation should take into consideration military facilities that are either currently scheduled for closure or realignment, or suitable for future closures or realignments. Particular emphasis should be placed on making a determination as to how and where needed civil aviation capacity can be gained in a practical and reasonable manner by utilizing surplus installations.

Aircraft Purchase Loan Guarantee Program

(Limitation on Borrowing Authority)

Limitation, fiscal year 1990	($9,970,000)
Budget estimate, fiscal year 1991	(57,000,000)
Recommended in the bill	(9,970,000)

Bill compared with:
Limitation, fiscal year 1990 ..... (.....)
Budget estimate, fiscal year 1991 ..... (−47,030,000)

The Committee recommends language that permits the Secretary of Transportation to borrow up to $9,970,000 from the Secretary of the Treasury to pay defaulted loans. This is the same as the fiscal year 1990 level and $47,030,000 less than the budget estimate. According to the Office of Management and Budget and the Congressional Budget Office, the borrowing authority provided in appropriations Acts for this program is not new budget authority. Testimony indicates that FAA has paid approximately $180,000,000 as a result of defaulted loans. The Committee believes that the FAA should encourage the parties involved to employ options such as rolling over the loan or extending the payment time to attempt to work out a potential default.

FEDERAL HIGHWAY ADMINISTRATION

Summary of Fiscal Year 1991 Program

The Federal Highway Administration provides financial assistance to the states to construct and improve roads and highways, enforces federal standards relating to interstate motor carriers and the highway transport of hazardous materials, and provides technical assistance to other agencies and organizations involved in road building activities. Title 23 U.S.C. and other supporting legislation provide authority for the various activities of the Federal Highway Administration. Most of the funding for the Federal Highway Administration is provided by contract authority, with program levels established by annual limitations on obligations provided in appropriations Acts.

Under the Committee recommendation, a total program level of $16,292,800,000 would be provided for the activities of the Federal Highway Administration for fiscal year 1991. This is $3,109,081,000 more than the budget estimate and $1,314,990,000 more than the fiscal year 1990 level.

The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 program requests and the Committee's recommendations:

	Fiscal year 1990 program level	Fiscal year 1991 program request	Recommended in the bill
University transportation centers	$4,985,000	$5,000,000	$5,000,000
Highway safety research and development	6,062,000	.....	5,450,000
Highway related safety grants	[1] 9,377,000	[1] 10,000,000	[1] 10,000,000
Railroad-highway crossings demonstration projects	14,845,000	.....	15,000,000
Federal-aid highways	[1] 12,210,000,000	[1] 12,013,000,000	[1] 14,500,000,000
Disaster assistance (emergency fund)	1,000,000,000	.....	.....
Other highway projects	221,225,000	.....	223,850,000
Motor carrier safety	33,297,000	40,719,000	40,000,000
Motor carrier safety grants	[1] 60,019,000	[1] 60,000,000	[1] 61,500,000
Exempt programs	[2] 1,418,000,000	[2] 1,055,000,000	[2] 1,432,000,000
Total	14,977.810,000	13,183,719,000	16,292,800,000

[1] Limitation on obligations. [2] Excludes disaster assistance.

LIMITATION ON GENERAL OPERATING EXPENSES

Limitation, fiscal year 1990	($233,298,000)
Budget estimate, fiscal year 1991	(264,470,000)
Recommended in the bill	(245,400,000)
Bill compared with:	
Limitation, fiscal year 1990	(+12,102,000)
Budget estimate, fiscal year 1991	(−19,070,000)

This limitation controls spending for the salaries and expenses of the Federal Highway Administration required to conduct and administer the "Federal-aid highways" program and most other federal highway programs. The limitation also includes a number of contract programs, such as highway research, development and technology, rural technical assistance, and minority business enterprise.

Administrative costs for highway-related safety grants are transferred to the limitation. In addition, the entire appropriations for highway safety research and development and university transportation centers are transferred to and administered through this limitation.

The limitation recommended is $12,102,000 more than the fiscal year 1990 level and $19,070,000 below the budget request. The following table summarizes the fiscal year 1990 limitation, the fiscal year 1991 budget estimate, and the Committee's recommendation:

	Fiscal year 1990 limitation	Fiscal year 1991 budget estimate	Recommended in the bill
Administrative expenses	$179,382,000	$190,340,000	$189,114,000
GSA rental payments	13,739,000	14,234,000	
Contract programs:			
Highway research, development & technology	18,736,000	26,360,000	22,500,000
Intelligent vehicle/highway systems	2,333,000	13,000,000	12,000,000
National Highway Institute	1,361,000	1,361,000	1,361,000
Rural technical assistance	3,689,000	3,350,000	3,350,000
Minority business enterprise	5,600,000	7,900,000	7,900,000
Interjurisdictional trucking	150,000	150,000	150,000
Trucking education	499,000		
Truck activity and commodity surveys	249,000	250,000	250,000
Highway use tax evasion	500,000	2,000,000	500,000
International transportation		25,000	25,000
Highway usage data activities		500,000	500,000
University transportation centers	4,985,000	5,000,000	5,000,000
Laboratories	479,000		
Kansas feasibility study	100,000		
National scenic biways	997,000		
I–80/I–94 congestion study	499,000		
National bicycling and walking study			1,000,000
Methanol plantship project (phase II)			1,750,000
Total	233,298,000	264,470,000	245,400,000

ADMINISTRATIVE EXPENSES

The Committee recommends $189,114,000 for administrative expenses. This is $9,732,000 more than the fiscal year 1990 level, but $1,226,000 less than the budget estimate. The reductions from the budget estimate consist of $476,000 for regular office equipment and furniture, $650,000 for ADP equipment, and $100,000 for

change of station moves. The Committee has also deleted funds for rental payments to the General Services Administration.

The Committee recommends a continuation of the current staffing level of 2,621 full-time permanent positions as proposed in the budget estimate.

CONTRACT PROGRAMS

The limitation on general operating expenses includes a total of $56,286,000 for contract programs. This is $16,109,000 more than the fiscal year 1990 level and $3,610,000 less than the budget estimate. The Committee has approved the budget requests for the National Highway Institute, rural technical assistance program, minority business enterprise program, interjurisdictional trucking program, survey of truck activity and commodity flows, collection and analysis of highway usage data, and university transportation centers program.

Highway research, development and technology.—The Committee recommends a total of $22,500,000 to be distributed as follows:

Safety	$5,450,000
Traffic operations	2,100,000
Pavement	2,700,000
Structures	4,600,000
Technology assessment and deployment	6,000,000
Policy and planning	1,650,000
Total	22,500,000

The amount recommended includes $200,000 for the continued development and transfer of the technology resulting from the efforts of the Oregon Graduate Institute to improve the strength and reliability of electroslag weldments for use in bridges.

There is continued interest on the part of the Committee on the need for coatings and materials research to improve the longevity, durability and reduce the costs of highway construction and maintenance. The amount recommended includes $400,000 to be provided to a center specializing in coatings research and development with associated expertise in highway safety, construction materials and other related transportation research experience.

Intelligent vehicle/highway systems.—The Committee recommends $12,000,000, an increase of $9,667,000 over fiscal year 1990, for the Intelligent vehicle/highway systems (IVHS) program. It is clear that in many areas of the country traditional solutions to traffic congestion, including the development of new highway and transit facilities, are not keeping pace with the growth in traffic congestion. Coordinated programs to make better use of developing technology in the motor vehicle and communications sectors have been undertaken to improve traffic services in Europe and Japan. The Committee believes that similar programs are needed, and overdue, in this country. The Committee also believes that private sector interest and financial support are essential to the success of a U.S. IVHS program.

The Committee, however, is concerned that there does not appear to be a set of generally agreed upon, measurable and attainable goals for the IVHS program. The Committee is also concerned about the apparent lack of a nationwide public-private coordinating

mechanism to guide the complex research and development activities anticipated in the IVHS area. The Committee is aware that the Radio Technical Commission for Aeronautics plays such a role for the FAA and believes a similar organization should be established for the IVHS program. The Committee expects these concerns to be addressed prior to the hearings on the fiscal year 1992 budget.

Highway use tax evasion.—The Committee recommends $500,000, a reduction of $1,500,000 from the budget estimate, to support additional efforts by the states and the Internal Revenue Service for highway tax compliance enforcement activities. The Committee continues to believe that other agencies should not have to provide substantial reimbursements to IRS or the states for tax enforcement activities, particularly for an activity such as diesel tax enforcement from which the IRS estimates a return of nearly $26 for each dollar spent.

National bicycling and walking study.—The bill includes $1,000,000 for this study. The Committee commends the Department for its recent statement that "It is federal transportation policy to promote the increased use of bicycling, and encourage planners and engineers to accommodate bicycle and pedestrian needs in designing transportation facilities in urban and suburban areas." Opportunities for bicycling and walking must be enhanced if their full potential to reduce pollution, congestion, and energy consumption is to be realized and the safety of non-motorized users is to be enhanced. The Federal Government must play a vital role in order to achieve these goals. The Committee directs the Secretary to submit a report that determines how best the Department can fulfill its stated policies relating to bicycling and walking. This study should:

(1) Determine current levels of bicycling and walking and identify the reasons why they are not better used as a means of transportation.

(2) Develop a plan for the increased use and enhanced safety of these modes and identify the resources necessary to implement and achieve this plan.

(3) Determine the full costs and benefits of promoting bicycling and walking in urban and suburban areas.

(4) Review and evaluate the success of promotion programs around the world to determine their applicability to the role required of the U.S. Department of Transportation to implement a successful program.

(5) Develop an action plan, including timetable and budget, for implementation of such federal transportation policy.

The Committee directs the Department to complete this project in time for its consideration, by Congress, prior to the reauthorization of surface transportation programs.

Methanol plantship project.—The Committee has included $1,750,000 for phase II of the development/design work on a floating methanol production plantship to advance work already completed under phase I of the project, which was authorized by section 152 of the Surface Transportation Assistance Act of 1982. Phase I determined the feasibility of producing large volumes of low-cost methanol from abandoned shut in gas for use as a trans-

portation and power generating fuel. Phase II will allow this project to go to construction by providing development/design, assembly and construction costs.

HIGHWAY ASSESSMENT REPORT

The Committee supports the elements of the National Transportation Policy that call for greater emphasis on preserving our transportation infrastructure. However, before that policy can be wisely implemented, a sound assessment of infrastructure condition and needs must be made. This is particularly critical for the Federal-aid highway program, given that it constitutes about 70 percent of federal transportation infrastructure spending and is pending reauthorization beyond fiscal year 1991. Therefore, the Committee requests that the Secretary, in support of the fiscal year 1992 budget and highway reauthorization proposals, submit an assessment of the current conditions of the nation's highway system. The report should also identify and distinguish the level of spending from all sources needed to maintain and improve these conditions and expand highway capacity.

HAGGERTY CONNECTOR ROAD

The Federal Highway Administration has under its review a permit under section 404 of the Clean Water Act for proposed construction of the Haggerty Connector road project in Oakland County, Michigan. Recent correspondence from the Environmental Protection Agency to the Federal Highway Administration has recommended disapproval of the permit until local townships alter local zoning ordinances in a manner acceptable to the EPA. The Committee finds no statutory authority for the EPA or FHWA to control local zoning and essentially use section 404 to pressure communities on matters not directly related to the specific project in question. The Committee has no objection to the FHWA providing assistance and guidance on local zoning to communities when requested on a voluntary basis. The Committee directs the Administrator to process this permit application expeditiously upon receipt of the final environmental impact statement using longstanding FHWA guidelines in evaluating environmental concerns, nonstatutory concerns of other parties notwithstanding.

GENERAL PROVISION

The bill includes language (Sec. 327) amending section 411(d) of the Surface Transportation Assistance Act of 1982 regarding maxi-cube vehicles. A maxi-cube vehicle is a truck combination consisting of a power unit capable of carrying cargo that pulls a semitrailer. The power unit is a single or tandem axle truck that carries either a detachable or a permanently attached cargo box or platform. The trailing unit is a semitrailer attached to the front unit by a specially built draw bar which gives the entire combination a single point of articulation. The front of the rear unit is specifically designed so cargo may be loaded through the rear unit to the front unit. The length of the trailing cargo unit can be no more than 34 feet excluding the draw bar. The distance from the front of

the cargo box on the power unit to the rear of the trailing unit can be no more than 60 feet.

University Transportation Centers

(Highway Trust Fund)

Appropriation, fiscal year 1990	$4,985,000
Budget estimate, fiscal year 1991	5,000,000
Recommended in the bill	5,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+15,000
Budget estimate, fiscal year 1991	.....

The Committee has approved the budget request of $5,000,000 for the university transportation centers program. This program is authorized by section 314 of the Surface Transportation and Uniform Relocation Assistance Act of 1987. Under the program, the Secretary is authorized to make grants to one or more nonprofit institutions of higher learning in each of the ten federal regions. An additional $5,000,000 is provided for these institutions under UMTA's discretionary grants program.

Highway Safety Research and Development

(Highway Trust Fund)

Appropriation, fiscal year 1990	$6,062,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	5,450,000
Bill compared with:	
Appropriation, fiscal year 1990	−612,000
Budget estimate, fiscal year 1991	+5,450,000

The Committee recommends $5,450,000 for the highway safety research and development efforts of the Federal Highway Administration. The research conducted under this program is used to support the safety standards established as a result of the Highway Safety Act of 1970. Major projects include accident analysis, traffic control devices, highway safety design practices, and truck/highway safety. The Committee has not approved the $3,000,000 requested for the development of a highway simulator. Testimony indicates that there has not been a firm commitment by the private sector or other public sector organizations to share the costs of this estimated $35,000,000 project.

TRUCK-ACTIVATED VARIABLE MESSAGE SIGNS

Recognizing that for a highway sign to be effective it must target a specific hazard, the Committee directs the Federal Highway Administration to study, develop and test highway signs to warn drivers of large trucks of the potential for rollover on particular highway ramps. This study should include options which differentiate between high-and low-rollover potential trucks. The study should also use appropriate technology to determine proper exit ramp speeds to be displayed on the signs and display appropriate speed and ramp configuration data only when activated by a target vehicle (a high speed truck). The study should involve highway ramps on the Capital Beltway in both Virginia and Maryland.

Highway-Related Safety Grants

(Liquidation of Contract Authorization)

(Highway Trust Fund)

Appropriation, fiscal year 1990	($9,377,000)
Budget estimate, fiscal year 1991	(10,000,000)
Recommended in the bill	(10,000,000)
Bill compared with:	
Appropriation, fiscal year 1990	(+623,000)
Budget estimate, fiscal year 1991	.....

A liquidating cash appropriation of $10,000,000 is recommended to assist states and localities in implementing the highway safety standards administered by the Federal Highway Administration. Tnese standards cover traffic control devices, highway surveillance, and the highway-related aspects of pedestrian safety.

LIMITATION ON OBLIGATIONS

The bill also limits fiscal year 1991 obligations under this program to $10,000,000. This limitation is $623,000 more than the fiscal year 1990 level. Obligations under this program are incurred to develop systems, procedures, and manuals to assist highway agencies in the planning and implementation of safety improvements on highway facilities.

Railroad-Highway Crossings Demonstration Projects

Appropriation, fiscal year 1990	$14,845,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	15,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+155,000
Budget estimate, fiscal year 1991	+15,000,000

The bill includes $15,000,000 for railroad-highway crossings demonstration projects originally authorized by the Federal-Aid Highway Act of 1973, as amended. These projects involve the relocation of railroad lines from the central areas of cities, the elimination or protection of public ground-level highway crossings, and the construction of overpasses and underpasses. The purpose of the program is to alleviate community disruptions caused by railroad facilities located in business and residential areas of the cities.

A summary of the funding status and estimated cost of these projects follows:

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS

Allocations, Obligations, and Estimated Costs As of February 29, 1990

[In thousands of dollars]

City	Source	Type of project	Federal funds allocated	Federal funds obligated	Estimated project cost	
					All funding sources	Federal demo funds only
Elko, NV	73 Highway Act	Rail Relocation	$42,530	$42,114	$44,800	$42,530
Lincoln, NE	73 Highway Act	Grade Separations	23,231	19,724	37,000	30,800
Wheeling, WV	73 Highway Act	Rail Relocation	[1] 600	84	600	600
Blue Island, IL	73 Highway Act	Grade Separation	[1] 230	230	242	230
Carbondale, IL	73 Highway Act	Rail Relocation	26,520	22,645	88,600	84,200

RAILROAD-HIGHWAY CROSSINGS DEMONSTRATION PROJECTS—Continued

Allocations, Obligations, and Estimated Costs As of February 29, 1990

[In thousands of dollars]

City	Source	Type of project	Federal funds allocated	Federal funds obligated	Estimated project cost	
					All funding sources	Federal demo funds only
Dolton, IL	73 Highway Act	Grade Separation	[1] 585	585	616	585
E. St. Louis, IL	73 Highway Act	Grade Separations	8,661	6,356	28,700	27,300
Springfield, IL	73 Highway Act	Rail Relocation	25,960	13,559	32,900	31,200
New Albany, IN	73 Highway Act	Rail Relocation	2,326	2,326	2,600	2,326
Anoka, MN	73 Highway Act	Grade Separation	2,898	2,898	3,100	2,898
Brownsville, TX/ Matamoros, Mexico	73 Highway Act	Rail Relocation	9,945	5,670	36,000	34,000
Greenville, TX	73 Highway Act	Grade Separation	9,500	9,485	14,800	13,300
Lafayette, IN	74 Highway Amends.	Rail Relocation	27,027	16,981	123,800	42,400
Hammond, IN	74 Mass Trans. Act	Rail Relocation	14,370	11,229	18,600	14,400
Metairie, LA	76 Highway Act	Consol./Gr. Sep.	1,702	1,450	19,000	16,500
Augusta, GA	76 Highway Act	Rail Relocation	12,376	11,387	130,600	103,100
Pine Bluff, AR	76 Highway Act	Consol./Gr. Sep.	12,827	10,036	19,900	18,900
Sherman, TX	76 Highway Act	Grade Separation	[2] 0	0	0	0
Terre Haute, IN	77 Approps. Act	Grade Separation	6,000	5,513	5,800	5,500
Total			[3] 227,288	182,272	607,658	470,769

[1] Demonstration aspects ineligible since project failed to meet the legislated deadline. The West Virginia allocation was made available, in accordance with Congressional advice, for Federal-aid system improvements.

[2] Withdrew from the demonstration program—project is being advanced with regular Federal-aid highway funds.

[3] In addition, $500,000 was allocated for a rail relocation study in Bryan-College Station, Texas, to implement Section 354 of the 1989 DOT Appropriations Act.

The recommended appropriation of $15,000,000 is to be distributed as follows:

Augusta, Georgia	$1,973,000
Brownsville, Texas	2,400,000
Lafayette, Indiana	2,627,000
Lincoln, Nebraska	3,600,000
Springfield, Illinois	4,400,000

Because of the limited funds available for these demonstration projects in relation to their total estimated cost, the Committee directs the Federal Highway Administration not to obligate any funds for right-of-way acquisition until a viable financing plan for construction of the project has been developed, unless specifically directed herein or in other Committee reports. The Committee recognizes that this requirement could necessitate adjustments to the above allocations. The Committee expects these adjustments, if required, to be accomplished through the normal reprogramming process.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 1990	($13,619,020,000)
Budget estimate, fiscal year 1991	(13,770,000,000)
Recommended in the bill	(14,300,000,000)
Bill compared with:	
Appropriation, fiscal year 1990	(+680,980,000)
Budget estimate, fiscal year 1991	(+530,000,000)

The Committee recommends a liquidating cash appropriation of $14,300,000,000 for the federal-aid highways program. This is $530,000,000 more than the budget request and $680,980,000 more than the enacted fiscal year 1990 appropriation.

An estimated $3,330,000,000 of the recommended liquidating cash appropriation is to continue the construction of the interstate highway system. The balance of the funds is primarily for payments to the states for interstate 4R, interstate substitutions, rural and urban transportation programs, safety construction programs, bridge replacement and rehabilitation, certain planning and research programs, emergency relief, and the administrative costs of the Federal Highway Administration as discussed under the limitation on general operating expenses.

FEDERAL-AID HIGHWAY PROGRAMS

Federal-aid highways and bridges are managed through a federal-state partnership.

—States and localities maintain ownership and responsibility for maintenance, repair and new construction of roads.

—State highway departments have the authority to initiate federal-aid projects subject to Federal Highway Administration approval of plans, specifications, and cost estimates.

—The Federal Government provides financial support for construction and repair through matching grants, the terms of which vary with the type of road.

There are almost four million miles of public roads in the United States and approximately 575,600 bridges. The Federal Government provides grants to states to assist in financing the construction and preservation of about 846,000 miles (22 percent) of these roads and about 275,000 (48 percent) of the bridges, which represent an extensive interstate system plus key feeder and collector routes. Highways eligible for federal aid carry about 81 percent of total U.S. highway traffic.

Federal-aid highway funds are made available through the following system-related programs:

Interstate Construction.—The designation of a 40,000-mile interstate system was authorized by Congress in 1944 to serve the needs of national defense, to link the nation's largest cities, and to connect with key Canadian and Mexican highways at suitable border points. Since 1944, the system has gradually been expanded, now encompassing 42,798 miles of designated routes. From December 31, 1988, to December 31, 1989, an additional 432 miles of the interstate system were opened to traffic. This brings the total number of miles opened to traffic as of December 31, 1989, to 42,436 or 99.2 percent of the total system. In addition, the remaining 362 miles were under construction or in right-of-way acquisition or preliminary engineering as of December 31, 1989. The interstate system carries 22 percent of all traffic.

Interstate 4R.—The Federal-Aid Highway Act of 1976 first established the resurfacing, restoration, and rehabilitation (3R) program as a means to preserve the approximately $100,000,000,000 investment in the interstate system. The Federal-Aid Highway Act of 1981 provided for enhanced emphasis on preservation with a signif-

icant increase in authorized funding levels and added a fourth "R", reconstruction, as an eligible type of work.

Interstate Substitution.—The interstate substitution program originated with the Federal-Aid Highway Act of 1973. Under the provisions of that Act and later amendments, until September 30, 1983, uncompleted interstate routes that were not essential for completion of a unified, connected system could be withdrawn from the system under certain conditions. Funds equivalent to the cost of the withdrawn segment then are authorized to become available to construct substitute highway and/or mass transit projects in the area from which the route was withdrawn.

Primary Program.—The original federal-aid highway system program, established in the 1916 and 1921 Highway Acts, was the predecessor of the present federal-aid primary system program. The primary system, a network of connected rural arterial routes and their extensions into or through urban areas, includes those roads that are the most important to interstate, regional and statewide travel. The slightly more than 257,000 miles of primary routes are owned and maintained by the states in most cases or by local units of government. These roads constitute about seven percent of the U.S. total, but carry 29 percent of our nation's traffic.

Secondary and Urban Programs.—The Federal-Aid Highway Act of 1944 established the system of federal-aid secondary roads as well as a specific category for extensions of the primary and secondary systems into urban areas. In 1970, a separate federal-aid urban system was established as a network of supplemental roads to serve local transportation needs. The secondary system, currently totaling about 400,000 miles, consists of many routes that are locally owned and maintained, as well as minor state routes. The urban system consists of about 244,000 miles of urban arterials and collectors or about four percent of the U.S. total and carries about 22 percent of total U.S. traffic.

Bridge Replacement and Rehabilitation Program.—This program provides for major rehabilitation as well as replacement of deficient bridges on any public road. A minimum of 15 percent up to a maximum of 35 percent must be spent on bridges off the federal-aid system. During fiscal year 1989, the states obligated $1,500,000,000 of federal highway bridge replacement and rehabilitation program funds. Total federal funds for new bridge construction and bridge rehabilitation, including bridge program funds authorized during calendar year 1989, amounted to $3,284,000,000 for 5,745 bridges.

Highway Construction Safety Programs.—Two highway construction programs are authorized to make physical safety improvements to roads and streets, the hazard elimination program and the railroad-highway crossings program. The hazard elimination program, established by section 168 of the Federal-Aid Highway Act of 1978 (now codified in 23 U.S.C. 152), is aimed at correcting high hazard locations; eliminating roadside obstacles that are hazardous to motorists or pedestrians; improving signal and pavement marking; and installing traffic control or warning devices at high or potentially high accident locations. Section 203 of the Federal-Aid Highway Act of 1973 (now codified in 23 U.S.C. 130) established

the railroad-highway crossings program to reduce or eliminate potential or existing conflicts between trains and highway vehicles.

Emergency Relief Program.—This program was established by the Hayden-Cartwright Act of 1934 and is now codified in 23 U.S.C. 125. Emergency funds are available through this program to repair roads and bridges damaged by natural disasters or catastrophic failures from external causes. Eligible facilities must be on the federal-aid highway system, including the interstate system, or federal roads. Normally each state is limited to receiving a maximum of $100,000,000 per disaster. The funding source is the highway trust fund and the federal share is 100 percent for emergency repairs done in the first 90 days after a disaster and the normal pro-rata share for other necessary repairs.

HIGHWAY TRUST FUND FINANCING MECHANISM

The highway trust fund was originally established in the U.S. Treasury in accordance with provisions of the Highway Revenue Act of 1957, as amended (23 U.S.C. 12 note). It was extended by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Public Law 100–17) and recently modified by the Omnibus Budget Reconciliation Act of 1987 (Public Law 100–203). Amounts equivalent to taxes on gasoline, diesel fuel, special motor fuels, tires, tubes, tread rubber, commercial motor vehicles, truck use, lubricating oil, and parts and accessories for trucks, buses, etc., are designated by the Act to be appropriated and transferred from the general fund of the Treasury to the trust fund. These transfers are made at least monthly on the basis of estimates by the Secretary of the Treasury, subject to adjustments in later transfers based on the amount of actual tax receipts. Amounts available in the fund in excess of outlay requirements are invested in public debt securities and interest thereon is credited to the fund. There are also credited to the fund repayable advances from the general fund, as authorized and made available by law, to meet outlay requirements in excess of available revenues during a portion of a fiscal year, if necessary. The termination date of the trust fund's expenditure authority was extended to September 30, 1993, as a result of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (Public Law 100–17).

A predecessor act, the Surface Transportation Assistance Act (STAA) of 1982, established a mass transit account within the trust fund to be funded by one-ninth of the excise tax collections under sections 4041 and 4081 of the Internal Revenue Code (26 U.S.C.) imposed after March 31, 1983. The funds from this account are used for expenditures in accordance with section 21 (a) (2) of the Urban Mass Transportation Act of 1964, as amended. The remaining excise taxes collected are included in a highway account within the trust fund.

Amounts required for outlays to carry out the federal-aid highway program are appropriated to the Federal Highway Administration. Other charges to the trust fund are made by the Secretary of the Treasury for transfers of certain taxes to the land and water conservation fund and to the aquatic resources trust fund, for refunds of certain taxes, repayment of advances from the general

fund, and for the interest on advances. The amendments to the Internal Revenue Code in the 1982 STAA related to the highway trust fund require that before an apportionment is made, the Secretary of the Treasury must determine that adequate revenues will be available to meet these expenditures within 24 months after the close of the fiscal year for which the apportionment is made.

HIGHWAY TRUST FUND SPENDING VERSUS RECEIPTS

In recent years, there has been much discussion about alleged shortfalls in the amount spent by the Federal Government for highway programs compared to the amount of highway user taxes it collects. Charges have been made that highway spending has been set significantly below the level of taxes being collected in an effort to make the deficit seem smaller. A closer examination of expenditures and receipts shows that this is not the case.

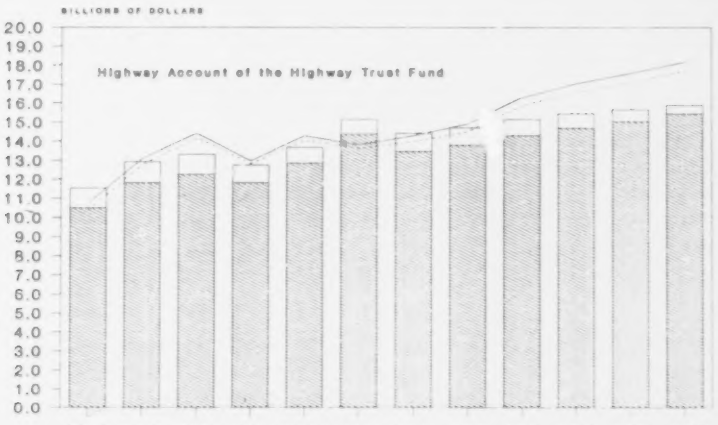
As can be seen from the graph on page 84, total highway trust fund (highway account) outlays have exceeded trust fund receipts in every year but one since 1985. Because of this, the federal-aid highway program has contributed roughly $4.9 billion to the deficit during this time period. Part of the confusion over the status of the trust fund is the fact that an estimated $11 billion cash balance will exist in the highway trust fund's highway account at the end of fiscal year 1990. Following is a description of this situation contained in a May 1989 GAO report:

> According to FHWA, the balance in the Highway Account has often been misunderstood, with many believing that the balance represents excess cash that will not be needed to pay commitments. This view, however, is not an accurate portrayal of the Highway Account balance since these funds are, in fact, needed to pay outstanding commitments. It should also be noted that the Highway Trust Fund exists only as an accounting record. User taxes are actually deposited in the U.S. Treasury and amounts equivalent to these taxes are transferred to the Trust Fund, as needed.
>
> How the Trust Fund functions becomes clearer when it is compared with an individual's charge account. For discussion purposes, assume that an individual has $1,000 in cash from previous monthly paychecks but also has outstanding charges amounting to over $1,500. In this case, the $1,000 in cash cannot be considered excess because it is needed to pay the incoming charges. On the other hand, the individual is also not in a deficit situation since at the end of the month his or her $900 paycheck will be available to help pay the outstanding charges. This scenario is repeated in each succeeding month. Thus, the cash the individual has on-hand plus a future paycheck helps to ensure there will be sufficient funds to pay all outstanding charges.
>
> Similarly, according to FHWA Office of Policy Development data, the Highway Account had a balance of $9 billion at the end of fiscal year 1988, which is analogous to the $1,000 cash-on-hand. At the same time, these FHWA data show that unpaid commitments (charge account balance) amounted to almost $31 billion—$22 billion more than the account balance. This situation, however, is acceptable under a reimbursable system because, although commitments to make payment have been made, payment is not made until the states submit actual bills for completed work at a later date. In the interim, revenues, like the individual's paycheck in the previous example, continue to accrue in the Highway Account.

The Committee also notes that cumulative highway account tax receipts since 1957 are expected to total approximately $217 billion and cumulative highway outlays are expected to total approximately $221 billion by the end of fiscal year 1990. The principal reason for the current cash balance is due to the interest paid to the fund from the U.S. general Treasury. This intragovernmental transfer from the general fund to the trust fund has exceeded $15 billion since the highway trust fund was established in 1957. Following is

a chart of federal highway spending compared to receipts for fiscal years 1984 to 1995. Fiscal year 1992 to 1995 spending estimates have been inflated according to CBO budget assumptions.

HIGHWAY OUTLAYS VS TRUST FUND REVENUES



	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
TOTAL HIWAY OUTLAYS	10.8	13.1	14.4	13.0	14.3	13.8	14.3	14.9	16.3	17.0	17.6	18.2
TRUST FUND OUTLAYS	10.4	12.8	14.2	12.8	14.0	13.6	14.0	14.5	15.8	16.5	17.1	17.7
GF INTEREST PAYMENTS	1.0	1.1	1.1	0.9	0.8	0.8	1.0	0.9	0.9	0.7	0.6	0.5
USER TAX REVENUES	10.5	11.8	12.3	11.8	12.8	14.4	13.4	13.8	14.3	14.7	15.0	15.4

SOURCE: U.S. DOT

LIMITATION ON OBLIGATIONS

The accompanying bill includes language limiting fiscal year 1991 federal-aid highway obligations to $14,500,000,000, an increase of $2,487,000,000 over the budget estimate and $2,290,000,000 more than the fiscal year 1990 level. An additional $1,568,000,000 is estimated to be obligated for federal-aid highway programs exempted from the obligation limitation in the bill. This compares with proposed exemptions in the budget request of $1,191,000,000. The exemptions recommended in the bill are similar to the exemptions provided under current law.

Although the following table reflects an estimated distribution of obligations by program category, the bill includes a limitation only on the total federal-aid highways spending level.

FEDERAL-AID HIGHWAY PROGRAM

[In thousands of dollars]

	Fiscal year 1990 estimated program obligations	Fiscal year 1991 President's budget estimated obligations	Fiscal year 1991 House bill estimated obligations
Subject to limitation:			
Interstate	$2,500,000	$2,499,000	$3,080,000
Interstate 4R	2,800,000	2,500,000	3,100,000
Primary	2,160,000	2,100,000	2,700,000
Interstate substitution	650,000	650,000	750,000
Secondary	500,000	500,000	700,000
Urban	600,000	600,000	700,000
Bridge replacement	1,500,000	1,500,000	1,800,000
Safety construction	300,000	300,000	330,000
Federal lands hwy. program	234,000	235,000	235,000
Section 149b demo author	0	178,000	178,000
Section 149c demo min. all	0	12,000	12,000
Miscellaneous	738,000	680,000	680,000
Administration	228,000	259,000	235,000
Subtotal, limitation	12,210,000	12,013,000	14,500,000
Bonus obligation limitation	179,000		179,000
Not subject to limitation:			
Minimum allocation	950,000	950,000	950,000
Emergency relief	100,000	100,000	100,000
Federal disaster assistance	227,000	136,000	136,000
Section 149b demo author	166,000	0	178,000
Section 149c demo min. all	12,000	0	12,000
Accelerated bridges	2,000	0	7,000
Woodrow Wilson Bridge	1,000	0	1,000
Union Station	2,000	0	0
Usable segments demo. (131j)	1,000	0	0
Bridges over dams	0	0	0
Alaska Highway	5,000	5,000	5,000
Subtotal, exempt programs	1,466,000	1,191,000	1,389,000
Total	13,855,000	13,204,000	16,068,000

A list of the federal highway programs under the limitation follows:

Interstate Construction.
Interstate Gap Closing.
Interstate 4R.
Interstate Discetionary—Construction.

Interstate 4R—Maryland.
Interstate Discretionary—4R.
Rail-Highway Crossings on Any Public Road.
Hazard Elimination.
Combined Road Plan.
Consolidated Primary.
Rural Secondary.
Urban System.
Highway Planning and Research.
Metropolitan Planning.
Public Lands.
Indian Reservation Roads.
Parkways and Park Highways.
Forest Highways.
Special Urban High Density.
Special Bridge Replacement.
Highway Bridge Replacement & Rehabilitation—Apportioned, Discretionary, and Talmadge Bridge.
Franconia Notch.
Bypass Highway Demonstration.
Urgent Supplemental Bridges.
Interstate Transfers—Apportioned and Discretionary.
Los Angeles Freight Transportation Demo, CA-131(a).
Buhne Point Shoreline Erosion Demo, CA-131(c).
E. Baton Rouge Interchange Congestion Demo, LA-131.
Louisville Primary Connector Accel. Demo, KY-131(e).
Vermont Certification Demo—131(f).
Devils Lake—Erosion Demo, ND-131(g).
Bridge Over Intercoastal Waterway Demo, FL-131(h).
Idaho Truck Safety/Railroad Elimin. Demo—131(i).
Acosta Bridge—Florida.
Administration.
Studies (Sections 158, 159, 164 & 165 under P.L. 100-17).
Demonstration Projects—149(d).
Strategic Highway Research Program.
Operation Lifesaver.

The bill includes language requiring that this obligation limitation be administered in accordance with current law. The current law provides for an equitable distribution of the available obligational authority based upon the funds apportioned by legislative or administrative formula and upon funds allocated without a formula. In making such a distribution, it is intended that discretionary and other non-formula fund allocations also be considered in the distribution of obligational authority. If these allocations are unknown at the time obligational authority is initially made available to the states, an estimated fair proportion of obligational authority should be reserved for distribution at the appropriate time.

Under current law, sufficient authority is provided to prevent lapses, funds are to be redistributed after August 1, 1991, and amounts authorized for administrative expenses, the federal lands highway program, the strategic highway research program and amounts made available under sections 149(d), 158, 159, 164, 165 and 167 of Public Law 100-17 are not to be distributed.

The Committee believes that there is adequate legislative history with respect to the intentions of the Congress in enacting annual ceilings on obligations. The Committee is reiterating, however, the language on pages 25 and 26 of House Report 94-1221 stating that this limitation should not be used by the Secretary as discretionary authority to distort the priorities established in federal highway legislation. The Committee does expect the Secretary to control ob-

ligations in accordance with Congressional intent and directs that the Department of Transportation continue to provide on a monthly basis a timely report on the cumulative amount of obligations by state for each program in the federal-aid highway and highway safety construction program categories. This report should include the amount of unobligated contract authority available to each state for each program, as well as a complete description of any actions taken by the Department of Transportation or the Office of Management and Budget for the purpose of complying with this obligation ceiling.

The following table is the Committee's best estimate of fiscal year 1991 federal-aid highways obligational authority that will be made available to the states under the $14,500,000,000 obligation limitation. These figures are subject to change when more accurate data become available. In addition, an estimated $1,568,000,000 will also be obligated for federal highway programs exempted from the obligation limitation.

COMPARISON OF ACTUAL FISCAL YEAR 1990 OBLIGATION LIMITATION FOR FEDERAL-AID HIGHWAYS WITH ESTIMATED LEVELS FOR FISCAL YEAR 1991

[In thousands of dollars]

State	Fiscal year 1990 actual	Estimates	
		Fiscal year 1991 President's budget	Fiscal year 1991 House allowance
Alabama	$202,194	$201,339	$248,718
Alaska	144,797	141,303	174,554
Arizona	121,741	118,856	146,824
Arkansas	101,948	100,220	123,804
California	899,089	904,556	1,117,412
Colorado	172,377	158,090	195,291
Connecticut	309,129	312,651	386,222
Delaware	47,659	46,621	57,592
District of Columbia	87,027	87,667	108,297
Florida	326,754	327,200	404,196
Georgia	260,798	257,233	317,764
Hawaii	131,942	93,860	115,946
Idaho	68,576	67,209	83,024
Illinois	333,281	301,551	372,510
Indiana	180,100	175,425	216,706
Iowa	146,539	133,565	164,995
Kansas	128,530	125,977	155,622
Kentucky	152,234	150,950	186,471
Louisiana	200,154	200,792	248,042
Maine	57,397	56,240	69,475
Maryland	271,844	227,898	281,526
Massachusetts	859,013	880,159	1,087,275
Michigan	272,295	269,208	332,556
Minnesota	155,733	148,083	182,929
Mississippi	111,088	108,828	134,437
Missouri	219,696	215,189	265,827
Montana	100,912	97,975	121,030
Nebraska	89,847	87,934	108,627
Nevada	68,119	66,592	82,262
New Hampshire	50,981	49,934	61,685
New Jersey	336,871	338,102	417,663
New Mexico	97,740	94,937	117,277
New York	630,700	625,620	772,839
North Carolina	208,794	208,545	257,619
North Dakota	67,809	66,068	81,614

COMPARISON OF ACTUAL FISCAL YEAR 1990 OBLIGATION LIMITATION FOR FEDERAL-AID HIGHWAYS WITH ESTIMATED LEVELS FOR FISCAL YEAR 1991—Continued

[In thousands of dollars]

State	Fiscal year 1990 actual	Estimates	
		Fiscal year 1991 President's budget	Fiscal year 1991 House allowance
Ohio	331,859	335,288	414,187
Oklahoma	134,151	131,815	162,833
Oregon	122,567	122,743	151,627
Pennsylvania	465,602	459,782	567,977
Rhode Island	106,359	106,554	131,628
South Carolina	116,534	114,495	141,438
South Dakota	74,714	72,582	89,662
Tennessee	208,446	206,629	255,252
Texas	549,279	540,300	667,441
Utah	87,287	85,704	105,872
Vermont	51,407	50,294	62,130
Virginia	202,899	193,427	238,944
Washington	223,448	205,921	254,377
West Virginia	105,263	105,322	130,106
Wisconsin	147,008	144,204	178,137
Wyoming	76,051	73,899	91,238
American Samoa	396	395	488
Guam	396	395	488
Puerto Rico	54,198	53,085	65,577
Nothern Marianas	396	395	488
Virgin Islands	396	395	488
Territories	10,783	10,535	13,014
Subtotal	10,683,147	10,460,536	12,922,073
Administration	227,000	259,000	234,850
Federal lands	233,500	237,000	237,000
Allocation reserve	1,066,353	1,056,464	1,106,077
Total	12,210,000	12,013,000	14,500,000

The estimated limitations are based on estimated fiscal year 1991 apportionments, the allocation reserve is based on actual allocation used to compute the fiscal year 1990 limitation. Data needed to compute the actual distribution of the estimated fiscal year 1991 limitations is not available at this time.

DISCRETIONARY BRIDGE ALLOCATIONS

Clark Bridge.—The Committee has recognized the extreme deterioration of the existing Clark Bridge at Alton, Illinois in the past and is pleased that the Secretary allocated discretionary bridge funds in fiscal year 1990 to begin work on a replacement bridge. To expedite completion of the urgently-needed replacement, the Committee recommends that the Secretary allocate funding for as much work as can be put under contract in fiscal year 1991.

Franklin Street Bridge.—The Committee understands that a project to replace the existing Franklin Street Bridge at Peoria, Illinois, which is antiquated and unsafe for both motorists and river navigation, has appropriately received discretionary bridge funds to begin construction. The Committee urges the Secretary to continue to give high priority by allocating all discretionary bridge funding needed in fiscal year 1991 to hasten completion.

U.S. 70 Bridge.—The Committee has been advised that the U.S. 70 Bridge over the White River at DeValls Bluff, Arkansas, needs to be replaced. The Committee, recognizing the safety concerns

about this Bridge, directs the Secretary to give priority to the U.S. 70 bridge in the allocation of discretionary bridge funds.

Bloomington Ferry Bridge.—The Committee has been advised that the Bloomington Ferry Bridge that spans the Minnesota River near Shakopee and provides a critical link between Hennepin and Scott Counties is often subject to flooding and needs to be replaced. The Committee, recognizing the need to replace this bridge, directs the Secretary to give priority to the Bloomington Ferry Bridge in the allocation of discretionary bridge funds.

Santa Clara Bridge.—The Committee is aware of the critical need to expand capacity and address inherent safety concerns on Highway 101 over the Santa Clara River in California. As this bridge is of great importance to commerce, the Committee directs the Secretary to give priority to the Santa Clara River Bridge in the allocation of discretionary bridge funds.

DISCRETIONARY I–4R ALLOCATIONS

The Committee directs the Secretary to give priority in the allocation of fiscal year 1991 discretionary I–4R funds to the following projects:

I–15 Spring Mountain interchange (Las Vegas, Nevada)
I–15 Sahara Avenue interchange (Las Vegas, Nevada)
Kennedy Expressway (Chicago, Illinois)

PUBLIC LANDS HIGHWAYS

The Committee directs the Secretary to give priority in the allocation of fiscal year 1991 public lands highway funds to the following projects:

Chief Joseph Scenic Highway (Wyoming)
State Route 600 (Smyth County, Virginia)

INTERSTATE TRANSFER-HIGHWAYS

Section 103(e)(4) of title 23, United States Code, permits the Secretary of Transportation to approve the withdrawal of certain routes from the interstate system upon the joint request of the state governor and local governments concerned, if the Secretary finds that the routes are not essential to the completion of a unified and connected interstate system and if assurances are received that a toll road will not be constructed in the corridor of the route. Approval of a withdrawal request establishes eligibility for federal substitute project funding.

The withdrawal value is based on the federal cost to complete the withdrawn route as shown in the most recently approved interstate cost estimate at the time of the withdrawal approval, up to and including the 1983 interstate cost estimate. This base cost is adjusted according to the provisions of 23 U.S.C. 103(e)(4), as amended by section 107(c) of the STAA of 1982, to determine the withdrawal value. The total federal cost to complete substitute highway and transfer projects is limited to each area's remaining withdrawal value after deduction of amounts obligated.

Substitution funds may be used for highway and/or transit projects serving the area from which the route was withdrawn (i.e., withdrawal area). Funds may be obligated for eligible substitution

projects to the extent they have been allocated or apportioned for the withdrawal area. Withdrawal values are reduced by the amounts obligated on substitute highway and transit projects.

Through March 1990 a total of $11,768,641,352 has been obligated for interstate substitution projects. Of this amount, $5,915,164,223 has been provided for substitute highway projects. The estimated remaining value of interstate substitute highway projects by urbanized area is as follows:

ESTIMATED FEDERAL FUNDS REQUIRED TO COMPLETE SUBSTITUTE HIGHWAY PROJECTS AS OF SEPTEMBER 30, 1990

State	Withdrawal area	[1] Estimated additional funds required to complete substitute highway projects
California	San Francisco	$61,184,656
Connecticut	Bolton to Killingly	176,920,087
	Hartford-New Britain	106,017,181
District of Columbia	Washington	45,394,714
Georgia	Atlanta	31,453,236
Illinois	Chicago	47,977,777
Indiana	Indianapolis	13,043,016
Iowa	Waterloo	22,531,162
Maryland	Baltimore	84,212,416
	Bowie to Millersville	27,674,194
	Washington	2,290,370
Massachusetts	Boston	17,178,146
	Fall River to Providence	3,781,250
New Jersey	New York City	11,677,459
	New York City-Trenton	92,550,726
New York	New York City	586,429,346
Ohio	Cleveland	25,202,771
Oregon	Portland	18,238,258
Pennsylvania	Pittsburgh	182,267
Rhode Island	Rhode Island	197,220,463
Tennessee	Memphis	75,672,977
Total		1,646,832,472

[1] Amounts are in federal funds.

For fiscal year 1991, $740,000,000, less takedowns, will be made available for interstate transfer-highway projects. Of this amount, 75 percent will be distributed by statutory formula and 25 percent will be distributed on a discretionary basis. The Committee expects these funds to be allocated as follows:

INTERSTATE TRANSFER-HIGHWAY ALLOCATIONS

	Estimated formula	Discretionary	Total
California	$19,793,520	$15,000,000	$34,793,520
Connecticut	91,540,368		91,540,368
District of Columbia	14,683,968	12,000,000	26,683,968
Georgia	10,176,480		10,176,480
Illinois	15,520,464	32,457,313	47,977,777
Indiana	4,219,776		4,219,776
Iowa	7,288,704	15,242,458	22,531,162
Maryland	36,944,352	14,000,000	50,944,352
Massachusetts	6,782,544		6,782,544
New Jersey	33,720,912		33,720,912
New York	189,730,080		189,730,080

INTERSTATE TRANSFER-HIGHWAY ALLOCATIONS—Continued

	Estimated formula	Discretionary	Total
Ohio	8,151,840		8,151,840
Oregon	5,898,096	5,000,000	10,898,096
Pennsylvania	58,608		58,608
Rhode Island	63,808,128		63,808,128
Tennessee	24,482,160		24,482,160
Other	22,200,000	91,300,229	113,500,229
Total	555,000,000	185,000,000	740,000,000

The Committee recognizes that delays in some regions' projects could necessitate adjustments to the above allocations. The Committee expects these adjustments, if required, to be accomplished only through the normal reprogramming process.

GENERAL PROVISIONS

The bill contains a general provision (Sec. 329) that reduces the amount of fiscal year 1991 obligation authority for federal-aid highways and highway safety construction programs available to states with major mass transit systems if the laws of those states do not provide for the establishment of a dedicated, tax-based source of revenues for funding mass transit. It is the Committee's view that the only state with a major mass transit system which does not presently meet the requirements for a dedicated, tax-based revenue source is Pennsylvania. The reductions in obligation authority imposed under this section apply only to those funds subject to the obligation ceiling and do not apply to funds appropriated for highway demonstration projects.

The Committee intends that the use of lottery funds for mass transit does not satisfy the requirement for a tax-based source of revenue dedicated to transit.

The bill also contains a general provision (Sec. 331) that prevents any Department of Transportation enforcement proceeding to reduce or reserve any portion of a state's Federal-aid highway construction apportionment because of non-compliance with the 55 miles per hour national maximum speed limit if a state did not comply in fiscal year 1989. This provision is intended to permit the Congress to continue its reexamination of the various issues associated with the national maximum speed limit law, without burdening the states with administrative hearings and other non-compliance proceedings whose outcome might be altered by future amendments to the law. This provision does not otherwise affect the states' obligation to submit speed monitoring data to the Department of Transportation, nor does it affect the Department's authority to receive and review such data, or the Department's ability to maintain and revise regulations on the enforcement/sanctions process and on data collection.

Right-of-Way Revolving Fund

(Limitation on Direct Loans)

(Highway Trust Fund)

Limitation, fiscal year 1990	($42,373,000)
Budget estimate, fiscal year 1991	(47,850,000)
Recommended in the bill	(42,500,000)
Bill compared with:	
Limitation, fiscal year 1990	(+127,000)
Budget estimate, fiscal year 1991	(−5,350,000)

The Federal-Aid Highway Act of 1968 authorized $300,000,000 for the establishment of a right-of-way revolving fund. This fund is used to make interest-free cash advances to the states for the purpose of purchasing right-of-way parcels in advance of highway construction and thereby preventing the inflation of land prices from causing a significant increase in construction costs.

The initial legislation for this program required the states to construct the highway and reimburse the revolving fund within seven years from the date of the advance. This provision was necessary to assure that the fund would be replenished and allow advances to be made to other states requiring right-of-way acquisition. Since the 1968 Act, the 1973 Highway Act extended the required time limit for construction to ten years and the 1976 Highway Act extended the time limit indefinitely, if deemed necessary by the Secretary.

When right-of-way acquisition has been made and highway construction is initiated, the state becomes eligible for federal grants under the various federal-aid highway programs. At the point when progress payments are made to the state for construction, the state in turn reimburses the revolving fund for advances made to the state for right-of-way acquisition. Using this method of funding, all reimbursements made to the revolving fund may be reallocated to other states requiring advances. Repayments to the right-of-way revolving fund for fiscal years 1990 and 1991 are anticipated to offset obligations resulting in net obligations of zero in both years. The Committee does not expect program activity to exceed an obligation level equivalent to the obligation limitation of $42,500,000 in fiscal year 1991. Because cash repayments to the right-of-way revolving fund are anticipated to be equal to outlays, a liquidating cash appropriation is not required for fiscal year 1991.

The Committee directs the Federal Highway Administration to modify the letter of authorization for federal-aid project Q–RS–1046(101) to permit Q-funds to be reinvested in all segments of the designated corridor in conformance with federal program guidelines.

Motor Carrier Safety

Appropriation, fiscal year 1990	$33,297,000
Budget estimate, fiscal year 1991	40,719,000
Recommended in the bill	40,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+6,703,000
Budget estimate, fiscal year 1991	−719,000

This appropriation provides for the development and execution of motor carrier safety policies and programs in accordance with the Department of Transportation Act, the Interstate Commerce Act, the Hazardous Materials Transportation Act, the Surface Transportation Assistance Act, the Motor Carrier Safety Act of 1984 and the Motor Carrier Safety Act of 1986. These programs involve federal safety inspection and law enforcement authority over the highway operations of commercial interstate carriers.

The bill includes an appropriation of $40,000,000 for these motor carrier safety activities. This is an increase of $6,703,000 over the fiscal year 1990 level. The Committee has approved the requested staffing level of 633 full-time permanent positions.

The recommended appropriation is distributed as follows:

Motor carrier safety operations.—The Committee recommends $38,218,000 for this activity, which is comprised principally of personnel and other related costs of field safety investigations and motor carrier safety regulatory and rulemaking functions. The Committee has deleted the $295,000 requested for rental payments to GSA and has reduced by $424,000 the funds requested for ADP contract support and equipment. The inspections and investigations conducted under this activity are summarized in the following table:

WORKLOAD DATA

[By fiscal year]

	1985	1986	1987	1988	1989	Estimated	
						1990	1991
Number of driver/vehicle inspections	16,046	10,027	910	238	2,357	1,585	2,000
Number of safety audits/reviews	10,492	6,637	23,714	29,655	18,422	18,500	24,000
Number of investigations	2,316	2,590	885	919	1,609	1,700	2,000
Number of enforcement cases prosecuted and closed	739	529	498	456	[1] 880	1,200	1,400
Amount of fines collected	$788,916	$1,877,300	$2,009,597	$1,998,647	$3,899,000	$4,900,000	$5,700,000

[1] Preliminary data.

Motor carrier safety contract research.—The sum of $1,782,000 is recommended for contract research designed to support federal motor carrier safety regulations and to improve the safety of operations of commercial motor vehicles and drivers. The amount recommended is the same as the budget request, and $515,000 more than the fiscal year 1990 appropriation.

Motor Carrier Safety Grants

(Liquidation of Contract Authorization)

(Highway Trust Fund)

Appropriation, fiscal year 1990	($51,844,000)
Budget estimate, fiscal year 1991	(63,000,000)
Recommended in the bill	(63,000,000)
Bill compared with:	
Appropriation, fiscal year 1990	(+11,156,000)
Budget estimate, fiscal year 1991	(.....)

The motor carrier safety grant program is intended to assist states in developing or implementing national programs for the uniform enforcement of federal and state rules and regulations concerning motor carrier safety. The major objective of this program is to reduce the number and severity of hazardous materials accidents involving commercial motor vehicles. Grants are made to qualified states for the development of programs to enforce the federal motor carrier safety and hazardous materials regulations and the Commercial Motor Vehicle Safety Act of 1986. The basic program is targeted at roadside vehicle safety inspections of both interstate and intrastate commercial motor vehicle traffic, as well as roadside inspections of motor carriers hauling hazardous materials.

The Committee has approved the budget request of $63,000,000 in liquidating cash for this program.

LIMITATION ON OBLIGATIONS

The Committee is also recommending a $61,500,000 limitation on obligations for motor carrier safety grants. This is $1,500,000 more than the budget estimate and includes the following amounts:

	Budget estimate	*Recommended in the bill*
Basic grants to states	$46,700,000	$46,700,000
Commercial drivers license	13,000,000	13,000,000
Administrative expenses	300,000	300,000
Continuation of operation deacon enhancement program		800,000
Pilot program for traffic enforcement		300,000
Implementation of verification program		300,000
Development of local government truck inspection programs		100,000
Total	60,000,000	61,500,000

DRUG INTERDICTION ASSISTANCE PROGRAM

The limitation includes $800,000 to continue the successful components of the Drug Interdiction Assistance Program (DIAP). The Committee directs that these funds be distributed to a broad array of states with no more than 50 percent of the funds distributed to those states that share a common border with Mexico. These funds should be reserved for special projects, overtime expenses, equipment, and other drug-related enforcement activities. The Federal Highway Administration is directed to provide training manuals and videotapes instructing law enforcement officers on effective drug awareness and interdiction techniques. The Committee expects the agency to continue to use funds appropriated under the motor carrier safety account to pay for staff-related costs for drug-related training.

TRAFFIC ENFORCEMENT PILOT PROGRAM

The Committee recommends $300,000 to fund a pilot program that would allow five states, including Virginia and Maryland, to

be reimbursed for traffic enforcement activities that are coupled to motor carrier safety assistance program (MCSAP) level II or III inspections. This program is intended to encourage police officers to target inspections on those commercial drivers that violate the rules of the road by speeding, changing lanes improperly, driving recklessly, etc. These funds should be used primarily for special projects and direct salary expenses. To the maximum extent possible, unmarked cars with VASCAR, radar, or other speed enforcement equipment already purchased by the participating agency should be used.

Expenditures for equipment should be held to a minimum and be restricted to speed detection systems. The pilot projects should be conducted through the lead MCSAP agencies with subcontracts given, when necessary, to agencies responsible for traffic enforcement. State enforcement officers conducting the program should meet minimum training and certification requirements established by state law prior to participation in the project. Enforcement efforts should be targeted, whenever possible, to locations with high accident rates involving commercial vehicles.

The Committee directs that an evaluation of the costs, benefits, and effectiveness of this pilot program be submitted to the House and Senate Committees on Appropriations no later than February 14, 1991. This report should include separate assessments of the pilot projects from each participating state. To meet the reporting deadline, it is essential that awards for these projects be made before November 1, 1990. The report should analyze the feasibility of coupling MCSAP level II and III inspections with increased traffic enforcement of the commercial motor carrier industry, the number of citations issued, and the costs and benefits of increased traffic enforcement as part of a more comprehensive state assistance program.

VERIFICATION PROGRAM

The Committee is concerned that the integrity of the MCSAP inspection process is often subject to question because there is no requirement for an effective, year-round, verification program. Research supported by the Federal Highway Administration and the Commercial Vehicle Safety Alliance has shown that roughly 9 percent of the drivers and/or vehicles placed out of service for serious or critical safety defects identified during a MCSAP inspection are violating the out-of-service order. The Committee believes that definitive steps must be taken to permanently address this problem. The Committee expects the Federal Highway Administration to require that all MCSAP states periodically conduct some covert operations to catch those commercial operators that attempt to violate an out-of-service order.

The Committee recognizes that there are some costs associated with increased verification activities and has included an additional $300,000 for this purpose. The Committee directs the Federal Highway Administration to ensure that all future state enforcement plans include appropriate emphasis on ensuring that compliance with the regulations is achieved as the end result of a MCSAP inspection.

LOCAL TRUCK SAFETY INSPECTION PROGRAMS

The Committee recognizes that many local law enforcement agencies desire to become involved in enforcement of commercial motor vehicle laws through MCSAP and MCSAP funding. Accordingly, the Committee has provided $100,000 to be used by states and localities to foster local MCSAP inspection programs. The Committee directs that $20,000 be made available to Loudoun County in Virginia and $20,000 be made available to Prince Georges County in Maryland to assist in developing truck safety inspection programs.

BALTIMORE-WASHINGTON PARKWAY

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 1990	$11,964,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	9,900,000
Bill compared with:	
Appropriation, fiscal year 1990	−2,064,000
Budget estimate, fiscal year 1991	+9,900,000

An appropriation of $9,900,000 is recommended in the bill for reconstruction of the Baltimore-Washington Parkway as authorized by the Federal-Aid Highway Act of 1970.

INTERMODAL URBAN DEMONSTRATION PROJECT

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 1990	$9,846,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+154,000
Budget estimate, fiscal year 1991	+10,000,000

Section 124 of the Federal-Aid Highway Amendments of 1974 authorizes a demonstration project for the construction of a high density urban intermodal transportation connection between Franklin Avenue and 59th Street in Minneapolis, Minnesota. This route provides the connecting link between the central business district and the Minneapolis-St. Paul International Airport. Funds for preliminary engineering and design were appropriated in fiscal years 1978 and 1985, respectively. The Committee is recommending $10,000,000 to continue this project.

HIGHWAY SAFETY AND ECONOMIC DEVELOPMENT DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 1990	$11,840,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	20,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+8,160,000
Budget estimate, fiscal year 1991	+20,000,000

The Committee recommends $20,000,000 to carry out highway projects that demonstrate the safety and economic benefits of widening and improving highways, as authorized by Public Law 99–500 and Public Law 99–591. As stated in the authorization, funds provided for these projects are exempt from any limitation on obligations for federal-aid highways and highway safety construction programs.

Highway Safety Improvement Demonstration Project

(Highway Trust Fund)

Appropriation, fiscal year 1990	$10,949,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	9,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−1,949,000
Budget estimate, fiscal year 1991	+9,000,000

The Committee recommends $9,000,000 for the continuation of the highway safety improvement demonstration project as authorized by Public Law 99–500 and Public Law 99–591. As stated in the authorization, funds provided for this project are exempt from any limitation on obligations for federal-aid highways and highway safety construction programs.

Highway-Railroad Grade Crossing Safety Demonstration Project

(Highway Trust Fund)

Appropriation, fiscal year 1990	$9,355,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	8,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−1,355,000
Budget estimate, fiscal year 1991	+8,000,000

The Committee recommends $8,000,000 to continue the highway-railroad grade crossing safety demonstration project as authorized by Public Law 99–500 and Public Law 99–591. As stated in the authorization, funds provided for this project are exempt from any limitation on obligations for federal-aid highways and highway safety construction programs.

Highway Widening Demonstration Project

Appropriation, fiscal year 1990	$1,968,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	2,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+32,000
Budget estimate, fiscal year 1991	+2,000,000

The Committee recommends $2,000,000 for a highway widening demonstration project as authorized by Public Law 100–202. As stated in the authorization, funds provided for this project are exempt from any limitation on obligations for federal-aid highways and highway safety construction programs.

Bridge Improvement Demonstration Project

Appropriation, fiscal year 1990	$3,988,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	.....
Bill compared with:	
Appropriation, fiscal year 1990	−3,988,000
Budget estimate, fiscal year 1991	.....

The bill includes language that reallocates $2,000,000 of funds previously appropriated for the bridge improvement demonstration project in Jacksonville, Florida. These funds will be used to construct new roadways on Blount Island, Florida. The federal share of this project is 80 percent.

Highway Widening and Improvement Demonstration Project

Appropriation, fiscal year 1990	$4,926,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	4,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−926,000
Budget estimate, fiscal year 1991	+4,000,000

The bill includes $4,000,000 for continuation of the highway widening and improvement demonstration project between Paintsville and Prestonsburg, Kentucky. The federal share of this project is 80 percent.

Intersection Safety Demonstration Project

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....
Recommended in the bill	$3,600,000
Bill compared with:	
Appropriation, fiscal year 1990	+3,600,000
Budget estimate, fiscal year 1991	+3,600,000

The Committee recommends $3,600,000 to complete the extension of Douglas Street in the vicinity of El Segundo, California. The federal share of this project is 80 percent.

Climbing Lane and Highway Safety Demonstration Project

Appropriation, fiscal year 1990	$2,486,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	12,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+9,514,000
Budget estimate, fiscal year 1991	+12,000,000

The Committee recommends $12,000,000 for the continuation of a climbing lane and highway safety demonstration project on U.S. Route 15 in the vicinity of Tioga County, Pennsylvania. The federal share of this project is 80 percent.

Indiana Industrial Corridor Safety Demonstration Project

Appropriation, fiscal year 1990	$2,378,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	3,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+622,000
Budget estimate, fiscal year 1991	+3,000,000

The Committee recommends $3,000,000 for right-of-way acquisition for the continuation of an industrial corridor safety demonstration project for an improved route between Logansport and Peru, Indiana. The federal share of this project is 80 percent.

Highway Capacity Improvement Demonstration Project

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....
Recommended in the bill	$2,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+2,000,000
Budget estimate, fiscal year 1991	+2,000,000

The Committee recommends $2,000,000 for a project on U.S. Highway 231 between U.S. Route 90 and the City of Campbellton in Jackson County, Florida, that demonstrates methods of expanding a two-lane segment of a U.S. highway to four lanes. Prior to construction of the project, the Secretary of Transportation shall approve the plans and specifications in the same manner as a federal-aid primary project and the project shall conform to applicable standards under section 109 of title 23, United States Code. The State of Florida may accelerate the project under the provisions of section 115 of title 23, United States Code. The federal share of this project is 80 percent.

Alabama Highway Bypass Demonstration Project

Appropriation, fiscal year 1990	$8,223,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	10,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+1,777,000
Budget estimate, fiscal year 1991	+10,000,000

The Committee recommends $10,000,000 to continue a highway bypass project in the vicinity of Jasper, Alabama. The federal share of this project is 80 percent.

Kentucky Bridge Demonstration Project

Appropriation, fiscal year 1990	$4,933,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	4,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−933,000
Budget estimate, fiscal year 1991	+4,000,000

The Committee recommends $4,000,000 to continue the Glover Cary Bridge project in Owensboro, Kentucky. The federal share of this project is 80 percent.

Virginia HOV Safety Demonstration Project

Appropriation, fiscal year 1990	$4,629,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	8,500,000
Bill compared with:	
Appropriation, fiscal year 1990	+3,871,000
Budget estimate, fiscal year 1991	+8,500,000

The Committee recommends $8,500,000 to complete an HOV safety and noise mitigation demonstration project on I–66 in Virginia. Federal demonstration funds and regular highway apportionments may be used for noise mitigation on this project. The federal share of this project is 80 percent.

Urban Highway Corridor and Bicycle Transportation Demonstration Projects

Appropriation, fiscal year 1990	$4,484,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	11,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+6,516,000
Budget estimate, fiscal year 1991	+11,000,000

The Committee recommends $10,000,000 to continue the M–59 urban highway corridor project in southeast Michigan. The Committee also recommends $1,000,000 for a bicycle transportation demonstration project in Macomb County, Michigan. The federal share of each project is 80 percent.

Urban Airport Access Safety Demonstration Project

Appropriation, fiscal year 1990	$4,982,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	11,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+6,018,000
Budget estimate, fiscal year 1991	+11,000,000

The Committee recommends $11,000,000 for the continuation of a project to improve and upgrade the access to Detroit Metropolitan Airport in southeast Michigan. The federal share of this project is 80 percent.

Pennsylvania Reconstruction Demonstration Project

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....
Recommended in the bill	$20,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+20,000,000
Budget estimate, fiscal year 1991	+20,000,000

The Committee recommends $20,000,000 for the Pennsylvania reconstruction demonstration project on Pennsylvania Route 56 in Cambria, Somerset, and Westmoreland Counties. The federal share of this project is 80 percent.

Pennsylvania Toll Road Demonstration Project

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....
Recommended in the bill	$6,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+6,000,000
Budget estimate, fiscal year 1991	+6,000,000

The Committee recommends $6,000,000 for the Monongahela Valley (Mon Valley) Expressway, a 70-mile demonstration highway extending from U.S. 48 near Morgantown, West Virginia, to the

Penn-Lincoln Highway near Pittsburgh, Pennsylvania. As stated in the bill, this project shall be subject to section 129(j) of title 23, United States Code.

Highway Demonstration Projects

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....
Recommended in the bill	$23,800,000
Bill compared with:	
Appropriation, fiscal year 1990	+23,800,000
Budget estimate, fiscal year 1991	+23,800,000

The Committee recommends $23,800,000 for certain highway demonstration projects. The amount recommended includes funds for the following projects:

Center Street extension (Pittsfield, Massachusetts)	$1,600,000
Florida U.S. 27 (Palm Beach County)	7,000,000
Grand Concourse Avenue traffic improvements (Bronx, New York)	500,000
Illinois interchange (I-80 and Houbolt Road)	3,000,000
Lake Road Outlet Bridge (Irondequoit, New York)	5,000,000
Pennsylvania industrial park access (Donora-Monessen Bridge)	1,500,000
Pontotoc County Rural Industrialization and Skill Center access road and ramps (Ada, Oklahoma)	1,500,000
Norrell Road and Interstate 20 (Hinds County, Mississippi)	2,000,000
Texarkana, Texas, road improvements	1,700,000
(Leopard Drive, off U.S. Highway 59)	
(Redwater Minton Road)	

Consistent with the policy for new demonstration projects, the federal share for these projects shall be up to 80 percent.

Highway Demonstration Projects—Preliminary Engineering

Appropriation, fiscal year 1990	$5,783,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	46,050,000
Bill compared with:	
Appropriation, fiscal year 1990	+40,267,000
Budget estimate, fiscal year 1991	+46,050,000

The Committee recommends $46,050,000 for feasibility studies, preliminary engineering, environmental studies and right-of-way acquisition for certain highway and bicycle transportation demonstration projects. The amount recommended includes funds for the following projects:

Biscayne Boulevard renovation (Miami, Florida)	$2,000,000
Blackstone River Bikeway project (Massachusetts)	300,000
California feasibility studies:	
Dixon grade separation projects (3)	135,000
State Route 12 bypass (City of Rio Vista)	100,000
California Highway 156 bypass (Hollister)	1,500,000
Columbus, Indiana, I-65 and State Road 46 interchange	2,500,000
Highway 63 (Waterloo, Iowa and Rochester, Minnesota)	250,000
Hubbard Expressway project (Youngstown, Ohio)	3,000,000
Indiana East Chicago Marina/rerouting of Route 12	200,000
Interstate 66 feasibility study	1,500,000
Interstate 680 access ramps project (Youngstown, Ohio)	2,000,000
Michigan Bristol Road relocation project (Flint and Genesee County)	6,322,000
Michigan M-84 expansion (Saginaw and Bay Counties)	2,500,000
Michigan U.S. 31 (City of Niles and City of Benton Harbor)	1,000,000
Minnesota U.S. Highway 212 (I-494 to in-place 212 west of Chaska)	2,000,000
Mississippi feasibility study (Jackson)	300,000

Muncie, Indiana, State Road 67 (I-69 to Muncie By-Pass)	1,400,000
New York Exit 26 bridge project (Schenectady County)	2,000,000
Ohio-West Virginia highway (Ohio Route 35 and a routing to be determined in West Virginia)	600,000
Pennsylvania U.S. 220 (Bald Eagle to Centre County line)	2,000,000
Pennsylvania U.S. Route 202 bypass (Montgomeryville and Doylestown)	1,600,000
Pennsylvania State Route 711 bypass (Ligonier)	4,000,000
Florida causeway tunnel project (Fort Lauderdale)	4,343,000
Rural economic development demonstration project (Illinois 336 from Carthage to Macomb)	1,500,000
Washington State Route 509 East-West corridor (Tacoma)	3,000,000

Consistent with the policy for new demonstration projects, the federal share for these projects shall be up to 80 percent.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

The National Highway Traffic Safety Administration (NHTSA) was established as a separate organizational entity in the Department of Transportation in March 1970. It succeeded the National Highway Safety Bureau, which had previously administered traffic and highway safety functions as an organizational unit of the Federal Highway Administration.

NHTSA's programs currently are authorized under three major laws: (1) the National Traffic and Motor Vehicle Safety Act; (2) chapter 4 of title 23, United States Code; and (3) the Motor Vehicle Information and Cost Savings Act (MVICS). The first law provides for the establishment and enforcement of safety standards for vehicles and associated equipment and the conduct of supporting research, including the acquisition of required testing facilities and the operation of the National Driver Register (NDR). Discrete authorizations were subsequently established for the NDR under the National Driver Register Act of 1982.

Title 23 U.S.C. chapter 4 provides for coordinated national highway safety programs to be carried out with the states (section 402) together with supporting highway safety research, development, demonstration (section 403) and highway safety education and information (section 209) programs. An amendment to this law, enacted in October 1982, authorized a program of alcohol safety incentive grants to the states (section 408) to reduce traffic safety problems resulting from persons driving while under the influence of alcohol. The Anti-Drug Abuse Act of 1988 (Public Law 100–690) authorized a new drunk driving prevention program (23 U.S.C. 410) to make grants to states to implement and enforce drunk driving programs.

The third law (MVICS) provides for the establishment of low-speed collision bumper standards, consumer information activities, diagnostic inspection demonstration projects, and odometer regulations. An amendment to this law established the Secretary's responsibility, which was delegated to NHTSA, for the administration of mandatory automotive fuel economy standards.

Summary of Fiscal Year 1991 Program

The Committee recommends a total program level of $234,658,000 for NHTSA programs and activities in fiscal year 1991. This is $8,290,000 (3 percent) less than the spending levels

proposed in the budget and $1,060,000 (less than 1 percent) less than the fiscal year 1990 program level.

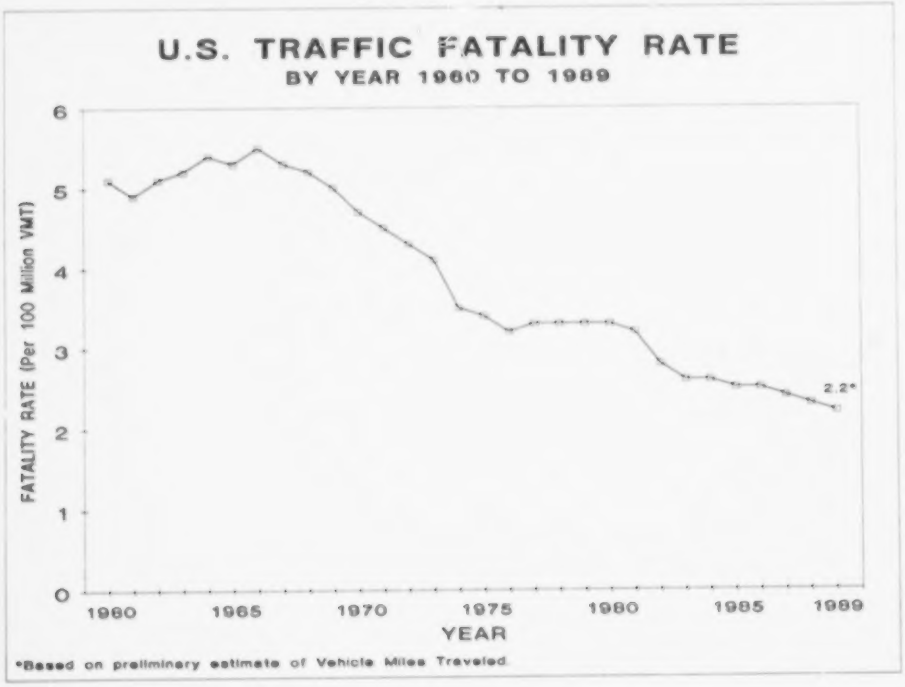
The following table summarizes the fiscal year 1990 program level, the fiscal year 1991 request, and the Committee recommendation:

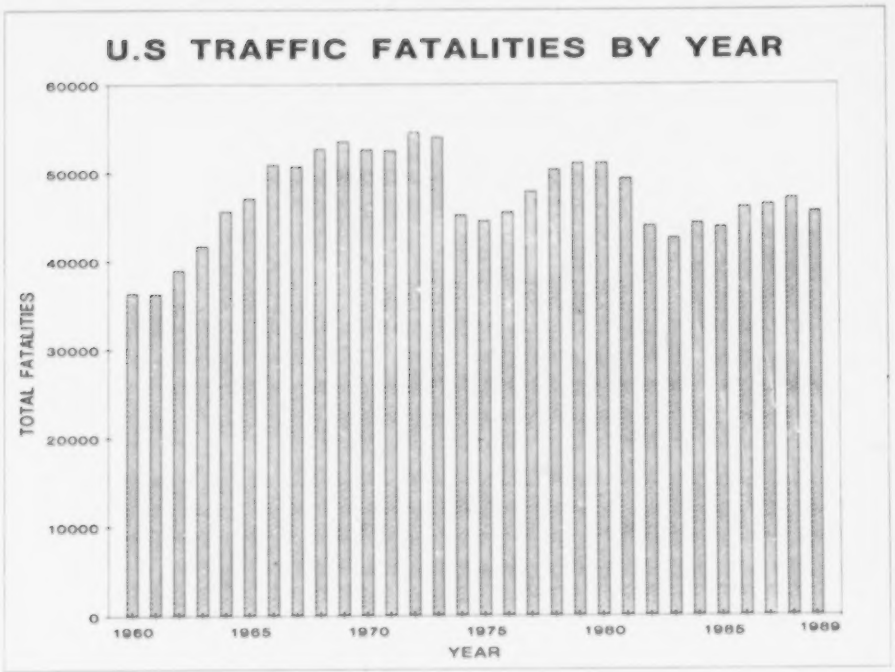
Program	Fiscal year 1990 program level	Fiscal year 1991 program request	Recommended in the bill
Operations and reseach	$105,096,000	$117,326,000	$109,036,000
Highway traffic safety grants	[1] 130,622,000	[1] 125,622,000	[1] 125,622,000
Total	235,718,000	242,948,000	234,658,000

[1] Limitation on obligations.

TRAFFIC SAFETY TRENDS

In 1989, the nation experienced 1,587 less highway fatalities than in 1988. NHTSA's latest estimates show that 45,500 persons died on the nation's highways in 1989, compared to 47,087 in 1988. More importantly, the fatality rate set another all-time low in 1989 at 2.2 fatalities per million vehicle miles travelled. The following charts depict national traffic fatality levels since 1960:





Operations and Research

(Including Highway Trust Fund)

Appropriation, fiscal year 1990	[1] $105,096,000
Budget estimate, fiscal year 1991	[2] 117,326,000
Recommended in the bill	[3] 109,036,000
Bill compared with:	
Appropriation, fiscal year 1990	+3,940,000
Budget estimate, fiscal year 1991	−8,290,000

[1] Of which $31,756,000 is derived from the Highway Trust Fund.
[2] Of which $40,950,000 is derived from the Highway Trust Fund.
[3] Of which $38,960,500 is derived from the Highway Trust Fund.

The bill specifies that $70,075,500 shall be derived from federal funds and $38,960,500 shall be derived from the highway trust fund.

The Committee recommends a total program level of $109,036,000 for NHTSA operations and research in fiscal year 1991. These funds are to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1990 actual	Fiscal year 1991	
		Estimate	Recommended
Rulemaking	8,177	8,911	8,798
Enforcement	12,693	13,610	14,904
Highway safety	34,143	43,048	34,285
Research and analysis	42,823	43,125	44,763
Office of the administrator	3,230	3,584	3,550

[In thousands of dollars]

	Fiscal year 1990 actual	Fiscal year 1991	
		Estimate	Recommended
General administration	8,915	10,126	9,907
Account-wide adjustments	−4,885	−5,078	−7,171
Total	105,096	117,326	109,036

COMMITTEE RECOMMENDATIONS

Major changes from the budget request include:

Rulemaking Program:	
Hold awards at FY 1990 level	−$16,000
Delete new position in the Office of Market Incentives	−75,000
Hold fuel economy contracts at FY 1990 level	−240,000
NCAP Retest program	+125,000
NCAP Basic program	+93,000
Enforcement Program:	
Hold awards and administrative services at FY 90 level	−356,000
Two positions for Office of Defects Investigation	+150,000
Compliance	+1,500,000
Highway Safety:	
Hold awards at FY 90 level	−66,000
Delete three new positions, Office of Enforcement and Emergency Services	−150,000
Office operating expenses	−200,000
Travel	−144,000
Contract program adjustments	−203,000
Sec. 410 alcohol incentive grants	−8,000,000
Research and Analysis:	
Hold awards at FY 90 level	−70,000
Hold administrative services at FY 90 level	−292,000
Delete funding for "advanced technology program"	−1,000,000
Biomechanics research	+3,000,000
Office of the Administrator:	
Hold awards at FY 90 level	−34,000
General Administration:	
Hold awards at FY 90 level	−14,000
Hold PCS moves at FY 90 level	−100,000
Hold program evaluation contracts at FY 90 level	−105,000
Account-Wide Adjustments:	
Rental payments	−4,104,000
Hold training at FY 90 level	−125,000
Hold field office overhead at FY 90 level	−114,000
Jackson Memorial shock-trauma research	+2,000,000
Dade County trauma system support	+250,000

The Committee recommendations for selected major programs are described in the following paragraphs:

OFFICE OF MARKET INCENTIVES

The Committee has deleted funding for a new position in this office to increase NHTSA's technical expertise in fuel economy. The Committee notes that NHTSA is not planning any significant changes to the corporate average fuel economy standards within the next few years, and NHTSA's policy toward expanding the Federal Government's role in this area is far from clear at this time.

LIGHT TRUCK AND VAN SAFETY

The Committee continues to believe that improved safety for light trucks and vans (LTVs) should be a top priority for NHTSA's regulatory agenda over the next few years. The Committee is pleased with the agency's more active current approach, compared to past policies. NHTSA is strongly encouraged to build upon its recent progress in LTV rulemaking, and to aggressively maintain the current rulemaking schedules without delay. The Committee intends to continue monitoring the status of LTV rulemakings as a priority issue.

OFFICE OF DEFECTS INVESTIGATION

The Committee has recommended adding two new positions to this office in recognition of increasing workload in this area. Between 1987 and 1989, the number of defects investigation cases opened has risen from 80 to 225. During this time, the office has had no increases in staff. Consequently, an experienced investigator currently has a caseload of over 17 cases. The Committee is supportive of NHTSA's more aggressive posture in the investigation of automotive defects. The additional positions should be used to reduce the existing program backlog and allow a more reasonable caseload for the individual investigators.

COMPLIANCE WITH MOTOR VEHICLE STANDARDS

The Committee recommends an additional $1,500,000 for NHTSA's compliance program. This activity is responsible for monitoring automotive compliance with existing motor vehicle standards. As a result of NHTSA's more active regulatory approach, new standards are being implemented with inadequate resources to monitor compliance. These funds should be focused on addressing NHTSA's three largest compliance problems (bus fuel system integrity, child restraints, and school bus seating). These funds may be used for both in-house and contract work.

CONSUMER AUTO SAFETY HOTLINE

The Committee is concerned that NHTSA's auto safety hotline suffers from inadequate publicity and lack of staffing. NHTSA is urged to investigate ways to make this activity more known to the public and to provide more senior staff. The results of NHTSA's analysis will be reviewed by the Committee in hearings on the NHTSA budget for fiscal year 1992.

OFFICE OF ENFORCEMENT AND EMERGENCY SERVICES

The recommended reduction of $150,000 would delete three new positions in this office. These positions would be used to upgrade existing field sobriety tests, among other things. Since this is a one-time activity, it would be better contracted out, in order to avoid permanent personnel commitments.

SECTION 410 ALCOHOL INCENTIVE GRANTS

The Committee recommends no funding for the section 410 alcohol incentive grants program, a reduction of $8,000,000 from the

budget request. While the Committee is reluctant to reduce funds for a program which has such laudable goals, the simple fact is that the requested funds will not be needed during fiscal year 1991 due to start-up delays. According to testimony provided in hearings this year, no state has yet qualified for the section 410 program, and only six states have even expressed serious interest. Even assuming that all of these six states qualify before the end of fiscal year 1991—which is optimistic—only $4,000,000 will be needed to finance the program. Since nearly $4,000,000 remains in unobligated fiscal year 1990 funding for this program, no new budget authority is needed.

While the Committee remains supportive of this program, it would be bad fiscal policy given the deficit problems facing the nation to dangle additional funding out as an enticement when prior year funds have not been spent and no state is yet qualified for the program.

WINDOW GLAZING

Concern has been growing over the issue of how dark car windows should be and how to balance safety and security against comfort. There is virtually no disagreement that some car windows are too dark and hinder both safe operation and effective law enforcement. While NHTSA jurisdiction is limited to manufacturer- and repair shop-applied tinting, many states' operating standards permit cars to be driven with much darker windows than NHTSA allows.

The Committee, then, directs the Administrator to report to the House and Senate Committees on Appropriations no later than February 1, 1991, on the adequacy of current regulations governing conspicuity, including window tinting. This report should include an explanation of current performance requirements, how cars on the highway today (particularly the newer cars) compare to the standard's requirements, and what rules other countries have in effect on this issue. It should also discuss the most recent research on the effects of various levels of tinting on depth perception, night vision, or other faculties that affect safety and, if possible, reach some conclusions on what level of darkening results in unsafe conditions. A second area to be addressed is enforcement, particularly the identification of devices, compliance displays, and/or methods that make enforcement easy enough for law enforcement personnel and accurate enough to stand up in court, and the dissemination of such information to the states. Finally, the report should list any current regulatory actions and give their status, and discuss actions NHTSA could take, including the establishment and enforcement of a national standard, to limit window tinting and other obstructions to vision.

EMERGENCY MEDICAL SERVICES PROGRAMS

NHTSA provides an important national service through its emergency medical services (EMS) activities. Significant contributions include defining standardized national curricula for personnel who provide pre-hospital services to accident victims; working with states and localities to plan for emergency medical transportation

and communications; and providing technical assessments of state EMS and trauma programs to identify areas for improvement. Since approximately half of the patients reaching trauma centers are victims of highway accidents, it is entirely appropriate that NHTSA continue to play a leading role in EMS. Therefore, the Committee expects NHTSA to continue placing a high priority and emphasis on EMS activities. NHTSA is directed to refrain from reducing or transferring these programs without prior written notification to the House and Senate Committees on Appropriations.

NHTSA's work with the State of Florida and Dade County, Florida demonstrates the benefits of intergovernmental partnership in developing an effective local trauma system. The bill therefore includes $250,000 above the level requested for EMS programs to continue this valuable partnership and further enhance the Dade County trauma system.

THREE-POINT REAR SEAT BELTS

The Committee is concerned that NHTSA is not moving aggressively enough to encourage the retrofit installation of three-point rear seat belts, which have been shown to offer safety advantages over lap belts alone. The automotive and insurance industries have made only token attempts to advise the public of these safety benefits and to provide retrofit kits at a reasonable cost. NHTSA testified this year that the average retrofit cost is between $200 and $250, which is too high. The Committee therefore directs NHTSA to develop more aggressive plans, in concert with the automotive and insurance industries, to facilitate these retrofits. This program should include public and dealer education and financial incentives. In addition, NHTSA is directed to submit a report to the House and Senate Committees on Appropriations by January 15, 1991, explaining program plans, goals, and financial resources.

CHILD PASSENGER PROTECTION

NHTSA data show that the percentage of children passengers who are fully protected by child safety seats was 61 percent in 1989. This is a dramatic improvement over the 24 percent rate in 1985, and the percentage has gotten better each year since then. However, the Committee notes that belt use among children aged 5 to 12—when safety seats are no longer required—is only 39 percent. In addition, NHTSA studies indicate that safety seat usage among lower-income children may be as much as 30 percent less than the overall average. The Committee expects NHTSA to address the issue of belt use by older children in the coming year, and directs NHTSA to submit a report by April 15, 1991, which describes ways to increase the usage of child safety seats among lower-income families. This should include the results of current discussions with the Department of Health and Human Services concerning potential changes in the Medicaid formulas which would make child safety seats an allowable expense.

65 MPH RURAL INTERSTATE ANALYSIS

NHTSA testified this year that their ongoing analysis of the safety effects of the 65 mile per hour speed limit on rural inter-

states had no useful results due to a flawed sampling methodology. Unless NHTSA changes the methodology to address those problems, the Committee directs that no funding may be used in fiscal year 1991 to continue the analysis effort.

SPEED ENFORCEMENT

The Secretary of Transportation and the NHTSA Administrator have both expressed concern over the high number of fatalities due to excessive speed. NHTSA testified that raising the speed limit to 65 miles per hour on rural interstates led in 1988 to almost 600 more deaths than would have been expected for those roads. Along those roadways where the speed limit was increased, fatalities were 21 percent higher in 1988 than in 1986, even after taking into account increased traffic volumes in the later years. According to the Secretary of Transportation, stronger enforcement is the key to reducing fatalities back to the pre-65 mph level. The Department hosted a major conference this year with the purpose of reaching consensus on traffic safety strategies. The Committee believes that much can be done in this area to improve safety, and therefore directs NHTSA to submit a program plan by January 15, 1991, which details the agency's plans in the area of speed enforcement, including demonstration of new technologies such as photo radar and laser radar.

ECONOMIC INCENTIVES FOR SAFETY BELT USE

Increasing compliance with state safety belt use laws will bring about major reductions in highway fatalities and injuries. In a discussion at the Committee's hearings about ways that belt use might be increased, NHTSA officials stated that in countries which have very high belt use law compliance rates, insurance incentives and disincentives play an important role. In its recently-released strategic plan, the agency committed to working with the insurance industry on a program to provide economic incentives for safety belt use. The Committee commends the agency for its initiative, and hopes that measurable progress on this matter can be reported at next year's hearings.

BIOMECHANICS RESEARCH

The Committee is concerned that NHTSA has not identified an adequate level of resources for biomechanics research to support impending rulemaking decisions in the areas of side impact protection, rollover protection, and frontal protection. Although adequate research is fundamental to making sound rulemaking decisions in these areas, NHTSA's biomechanics budget request totals $2,000,000 for fiscal year 1991, which is approximately one-third below comparable funding levels a decade ago. The Committee believes that, given NHTSA's planned level of regulatory activity, additional resources are needed to strengthen the level of biomechanics research. Therefore, the Committee recommends an additional $3,000,000 for biomechanics research in fiscal year 1991. The purposes of this funding should be focused on the development of dummies, criteria and test procedures for improved air bag/safety belt systems and for reducing head and neck injuries in all crash

modes. NHTSA is expected to include adequate resources in future budget requests to maintain this level of effort.

TRAUMA RESEARCH

The bill includes $2,000,000 for equipment and related costs to provide continued support for the development of a trauma research program within the new Trauma Medicine Center at Jackson Memorial Hospital in Miami. The Committee is particularly interested in the proposed development of an innovative system for managing patient information to make essential information on condition, treatment, and the like available quickly and accurately, from the first emergency call, through pre-hospital treatment and hospital care, to the case's outcome and ultimately to statistical use. Such a program would provide the data essential to medical personnel making treatment decisions as well as to researchers and planners seeking to reduce accidents, improve highway safety, and save lives.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Appropriation, fiscal year 1990	($136,604,000)
Budget estimate, fiscal year 1991	(105,000,000)
Recommended in the bill	(104,825,000)
Bill compared with:	
Appropriation, fiscal year 1990	(−31,779,000)
Budget estimate, fiscal year 1991	(−175,000)

The Committee recommends $104,825,000 to liquidate contract authorizations for state and community highway safety grants (section 402), school bus driver training grants (section 406), and alcohol safety incentive grants (section 408). The $175,000 reduction to the budget request is to consolidate rental payments into a single appropriations account.

STATE AND COMMUNITY HIGHWAY SAFETY GRANTS

(LIMITATION ON OBLIGATIONS)

As in past years, the bill includes language limiting the obligations to be incurred under the state and community highway safety formula grant (section 402) program. For fiscal year 1991, the Committee recommends a limitation of $114,655,000, the same as the budget request. Activities under this program are centered predominantly on efforts to control the drinking driver; increase traffic law enforcement; improve the quality of emergency medical services (principaliy through additional training of state and local personnel); and improve the collection and analysis of traffic accident data.

The recommended limitation is intended to continue current levels of support for state child restraint usage programs, emergency medical services programs, and alcohol countermeasure programs. Although the decisions on the allocation of these funds rest primarily with the states, the Committee expects NHTSA to en-

courage states to use their funds according to the following distribution:

Alcohol safety	$36,300,000
Police traffic services	35,000,000
Emergency medical services	4,700,000
Traffic records	6,000,000
Occupant protection	20,100,000
Motorcycles	700,000
Other grants	6,777,000
Grant administration	5,078,000

Language is included in the bill limiting the funds available for federal grant administration costs to $5,078,000. The bill also prohibits the use of state and community highway safety grant funds for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for state, local, or private buildings or structures.

Alcohol Safety Incentive Grants

(Limitation on Obligations)

The bill includes language limiting obligations to be incurred under the alcohol safety incentive grant program to $10,967,000 in fiscal year 1991. This is the same as the budget request.

Funding for alcohol safety incentive grants is authorized by the Alcohol Traffic Safety Programs Act of 1982 (P.L. 97-364), which amends chapter 4 of title 23, United States Code, by adding a new section 408. These provisions authorized a 3-year program, beginning in fiscal year 1983, which provides incentive grants to states that implement (by legislation, regulation, or otherwise) programs to reduce the drunk driving problem. Whether a state qualifies for a basic grant in any fiscal year will be determined by its compliance with minimum criteria specified in the statute. Any state that complies with the minimum criteria and additional criteria which the Secretary of Transportation issues by regulation shall be eligible for a supplementary grant. A state may also qualify for a special grant if it implements penalties for "driving under the influence." A state may use the funds it receives under this program only for alcohol safety purposes. Projects in other highway safety areas eligible for funding under the regular section 402 program are not eligible for funding under this incentive grant program unless they are related to the alcohol traffic safety program.

Section 408 was amended in P.L. 100-17, which extended the period of eligibility from three years to five, and provided that the sums authorized shall remain available until expended. This means that individual states, already qualified and yet to be qualified, will have an additional two years of potential funding and that new states can qualify until such funds are expended.

FEDERAL RAILROAD ADMINISTRATION

Summary of Fiscal Year 1991 Program

The Federal Railroad Administration (FRA) is responsible for planning, developing, and administering programs to achieve safe operating and mechanical practices in the railroad industry.

Grants to the National Railroad Passenger Corporation (Amtrak) and other financial assistance programs to rehabilitate and improve the railroad industry's physical plant are also administered by the FRA. The Committee recommends a total program level of $736,514,000 for the activities of the Federal Railroad Administration for fiscal year 1991. This is $666,935,000 more than the fiscal year 1991 request, and $29,790,000 more than the amount provided for fiscal year 1990.

The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 program requests, and the Committee recommendations:

Program	Fiscal year 1990 program level	Fiscal year 1991 program request	Recommended in the bill
Office of the administrator	$14,589,000	$15,807,000	$13,404,000
Local rail service assistance	6,979,000		7,000,000
Railroad safety	31,495,000	36,500,000	34,110,000
Railroad research and development	9,489,000	16,984,000	25,212,000
Settlements of railroad litigation		265,000	265,000
Northeast corridor improvement program	24,442,000		16,000,000
Grants to Amtrak	604,685,000		482,000,000
Payments on behalf of Amtrak			150,000,000
Regional rail reorganization program	6,625,000	23,000	23,000
Conrail commuter transition assistance	4,920,000		5,000,000
Amtrak corridor improvement loans	3,500,000		3,500,000
Total	706,724,000	69,579,000	736,514,000

Office of the Administrator

Appropriation, fiscal year 1990	$14,589,000
Budget estimate, fiscal year 1991	15,807,000
Recommended in the bill	13,404,000
Bill compared with:	
Appropriation, fiscal year 1990	−1,185,000
Budget estimate, fiscal year 1991	−2,403,000

This account provides funds for executive direction and administration, policy support, passenger and freight services salaries and expenses, and contractual support. The Committee recommends an appropriation of $13,404,000 and 195 positions (188 full-time equivalent) to continue the office of the Administrator and passenger and freight service assistance functions. This is $2,403,000 less than the amount proposed in the budget request.

FUNDING DISTRIBUTION

The following table summarizes the fiscal year 1990 budget, the fiscal year 1991 budget estimate, and the Committee recommendations:

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Salaries and expenses	$13,164,000	$14,063,000	$14,150,000
Contract support	925,000	1,000,000	925,000
Alaska RR workers comp		744,000	744,000
High Speed Tech Assist	500,000		
Local Rail Service Assist	6,979,000		

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Account-wide adjustments			−2,415,000
Total	21,568,000	15,807,000	13,404,000

OFFICE OF CHIEF COUNSEL STAFFING

Based upon FRA data, additional staffing is needed in the Office of Chief Counsel to process the large backlog of violation reports resulting from the additional regulations promulgated under the Rail Safety Improvement Act of 1988. Currently, FRA has a backlog of over 16,000 inspector reports alleging safety violations which are awaiting review by chief counsel staff. Although FRA's goal for processing violation reports is 120 days, the current average is approximately 720 days. The current dollar value of potential civil penalties on outstanding claim letters is over $15,000,000. With this situation, the benefits expected from raising the rail safety inspection force over the past few years are not being realized, since the results of those inspections are not being acted upon in a timely manner. Additional staffing in this office would not only improve rail safety, it would pay for itself by significantly accelerating collections of civil penalties. Therefore, the Committee recommends an additional $165,000 to fund three additional full-time equivalent staff in this office.

FREIGHT SERVICES TECHNICAL ASSISTANCE TO REGIONAL AND SHORTLINE RAILROADS

The Committee recommends no funding for this new activity in fiscal year 1991, a reduction from the budget request of $75,000. The program as proposed would have little effect, since the average level of assistance would be virtually negligible—only $165 per railroad. The Committee believes that a cooperative arrangement should be worked out with the Class II/III railroads which establishes joint private/public financing and specific program goals and objectives. The Committee agrees to reconsider this item for funding next year pending stronger justification.

ACCOUNT-WIDE ADJUSTMENTS

The Committee has reduced the budget request by a total of $2,415,000 for the following purposes: rental payments consolidation into a single appropriation account, −$1,415,000 and offset resulting from unobligated prior year balances, −$1,000,000.

FEDERAL EMPLOYERS LIABILITY ACT

The National Transportation Policy recommends the repeal of the Federal Employers Liability Act (FELA). According to the policy, FELA imposes "a variety of outmoded and archaic requirements" on the railroads, which keep them "from playing the most efficient and effective role in the transportation system and competing on an equal basis with other modes". Administration officials believe that FELA results in unnecessary federal costs and postpones needed medical rehabilitation. However, the Committee

has also received testimony from labor organization officials, who believe that FELA provides the most appropriate form of compensation in a hazardous industry. The merits of both sides have been debated for several years with no comprehensive study.

The Committee notes that the continuation or repeal of FELA is a legislative matter outside the jurisdiction of the Committee. However, oversight of federal appropriations utilized for FELA expenses are within the jurisdiction of the Appropriations Committee, as stated in clause 2(B)(3) of Rule X of the House of Representatives.

While taking no position on the merits of the FELA issue at this time, the Committee requests that the Transportation Research Board of the National Academy of Sciences conduct a comprehensive study of issues relating to retention, modification, or repeal of the Federal Employers Liability Act, including an analysis of appropriations utilized for this purpose. This is intended to be an independent study which considers equally the views of proponents and opponents of FELA. The study is to be submitted to the House and Senate Committees on Appropriations no later than May 1, 1991.

WYOMING PASSENGER RAIL STUDY

The Committee directs FRA, in consultation with Amtrak, to submit a study on the feasibility of adding a new rail line providing passenger rail service through southern Wyoming as an alternative to the existing Pioneer line, which currently runs from Chicago, Illinois to Seattle, Washington. This study should include an analysis of passenger forecast, mail service, condition of the existing track, and the status of the existing workforce. The study should also include an estimate of the State of Wyoming's share of providing service through section 403(b) funding. The study is to be submitted to the House and Senate Committees on Appropriations by January 15, 1991.

JACKSONVILLE-TO-NEW ORLEANS PASSENGER RAIL STUDY

The Committee directs FRA, in consultation with Amtrak, to submit a cost analysis study of the feasibility of establishing passenger rail service between Jacksonville, Florida and New Orleans, Louisiana. This study is to be submitted to the House and Senate Committees on Appropriations by January 15, 1991.

Local Rail Service Assistance

Appropriation, fiscal year 1990	$6,979,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	7,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+21,000
Budget estimate, fiscal year 1991	+7,000,000

The Local Rail Service Assistance (LRSA) program was established by the Regional Rail Reorganization Act of 1973 to provide financial support to states for the continuation of rail freight service on abandoned light density lines in the Northeast. The Railroad Revitalization and Regulatory Reform Act of 1976 expanded the

program to all states. In 1978 the program was further expanded and amended to allow capital assistance for rehabilitation prior to, rather than after, abandonment. An amendment in 1981 prohibited the use of these funds for operating subsidies.

The Committee recommends $7,000,000 for this program. The President's budget included no funds. No earmarks or restrictions on funds are recommended.

Railroad Safety

Appropriation, fiscal year 1990	$31,495,000
Budget estimate, fiscal year 1991	36,500,000
Recommended in the bill	34,110,000
Bill compared with:	
Appropriation, fiscal year 1990	+2,615,000
Budget estimate, fiscal year 1991	−2,390,000

The federal role in the railroad safety program is to protect railroad employees and the public by ensuring the safe operation of passenger and freight trains. The authority to accomplish this role is found in the Federal Railroad Safety Act of 1970 (as amended), the Department of Transportation Act, and the Hazardous Materials Transportation Act. Greatly expanded railroad safety authority was granted the FRA under the Rail Safety Improvement Act of 1988.

FUNDING DISTRIBUTION

The Committee recommends a total appropriation of $34,110,000 for the railroad safety program in fiscal year 1991. This is an 8.3 percent increase above the level provided in fiscal year 1990 for similar activities. The recommended level is sufficient to fund 431 positions in federal enforcement and 67 positions in safety regulation/program administration, for total program staffing of 498. These position totals represent no change to the budget request. The funds are to be distributed as follows:

	Fiscal year 1990 actual	Fiscal year 1991 estimate	Fiscal year 1991 recommended
Federal enforcement	$24,462,000	$28,895,000	$28,467,000
Auto track inspection	1,160,000	1,203,000	1,203,000
Safety regulation and program administration	5,873,000	6,402,000	6,402,000
Account-wide adjustments			−1,962,000
Total	31,495,000	36,500,000	34,110,000

RAIL SAFETY TRENDS

The FRA's analysis of 1989 accident/incident data indicates a slight decrease in both the total number of train accidents and accidents per million train miles. Train accidents decreased from 3,051 in 1988 to an estimated 3,048 in 1989. Accidents per million train miles decreased from 5.01 in 1988 to 4.92 in 1989.

The table below provides an overview of accident trends between 1978 and 1989:

Year	Accidents	Accidents/million train miles
1978	11,722	15.00
1982	4,589	8.00
1985	3,430	6.01
1986	2,761	4.87
1987	2,647	4.55
1988	3,051	5.01
1989 [1]	3,048	4.92

[1] Preliminary estimate.

Recommended changes to the budget request are described in the paragraphs below.

RAIL SAFETY TRAINEES

The Committee is supportive of FRA's new initiative to add trainee positions in the rail safety area. However, the budget includes $51,000 per position even though personnel compensation and benefits are estimated at only $22,600 per position. The Committee believes that these positions can be filled at far less than the budgeted amount, and therefore recommends $30,000 per position. The additional funds have been transferred to the Office of General Counsel to offset funding for the additional three positions provided for that office.

OTHER ADJUSTMENTS

The Committee recommends the following minor changes to the budget request:

Hold office automation costs to the fiscal year 1990 level (−$176,000);
Reduce estimated health care cost increase (−$458,000);
Hold average PCB cost to FY 90 level plus inflation (−$312,000);
Rental payments (−$1,504,000).

BILL LANGUAGE

The bill includes language proposed in the budget which would allow funds received from non-federal sources to be credited to this account as reimbursement for safety-related training provided by FRA.

Railroad Research and Development

Appropriation, fiscal year 1990	$9,489,000
Budget estimate, fiscal year 1991	16,984,000
Recommended in the bill	25,212,000
Bill compared with:	
Appropriation, fiscal year 1990	+15,723,000
Budget estimate, fiscal year 1991	+8,228,000

The railroad research and development appropriation finances contract research activities as well as salaries and expenses necessary for supervisory, management, and administrative functions. The objectives of this program are to reduce the frequency and severity of railroad accidents and to provide technical support for rail safety rulemaking and enforcement activities. The Committee recommends an appropriation of $25,212,000 for fiscal year 1991,

which represents an increase of $15,723,000 over the fiscal year 1990 appropriation and $8,228,000 over the budget request.

FUNDING DISTRIBUTION

The following table summarizes the fiscal year 1990 budget, the fiscal year 1991 budget estimate, and the Committee recommendations:

[In thousands of dollars]

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Equipment, Ops, & HAZMAT	$3,260	$3,024	$4,324
Track Safety Research	4,886	4,747	4,747
Maglev/High Speed Rail		6,150	12,000
Orange County Monorail			1,000
Intermodal Project Study			250
Environmental Compliance		1,500	1,500
Administration	1,343	1,563	1,478
Account-wide Adjustments			−87
Total	9,489	16,984	25,212

Explanation of changes to the budget request and other report language is as follows:

GRADE CROSSING R&D

The Committee recommends an increase of $800,000 for grade crossing demonstrations in fiscal year 1991. The largest single source of railroad fatalities and injuries is grade crossing accidents. The number of fatalities at grade crossings rose to 765 in 1989, compared to a low of 575 in 1983. Rail-related fatalities increased by 106 between 1988 and 1989—and 101 (95 percent) of those deaths were due to rail-highway crossing accidents. The following table shows the trends in grade crossing accidents:

	Number of accidents	Number of fatalities	Number of injuries
Year:			
1989 [1]	6,424	765	2,782
1988	6,527	689	2,515
1987	6,389	624	2,429
1986	6,396	616	2,458
1985	6,919	582	2,687
1984	7,281	649	2,910
1983	7,161	575	2,623
1982	7,748	607	2,637
1981	9,295	728	3,293
1980	10,611	833	3,890
1979	12,509	883	4,378
1978	13,316	1,064	4,447
1977	13,101	992	4,863
1976	12,925	1,115	4,740
1975	12,071	917	3,860

[1] Projected preliminary data for January–December 1989.

Despite this disturbing trend, FRA proposed no increase over the $200,000 budgeted in fiscal year 1990 for grade crossing research and development. The Committee believes that additional resources in this area are warranted, and expects FRA to work closely with the Federal Highway Administration to devise an aggressive development program with the goal of reducing fatalities and injuries at rail-highway grade crossings.

LOCOMOTIVE CRASHWORTHINESS

The Committee recommends an additional $500,000 for research and development into improving locomotive crashworthiness. In hearings this year, the National Transportation Safety Board submitted the following testimony:

> In 1970, the Safety Board issued its first safety recommendation to the FRA, calling for timely improvements in the crashworthiness of railroad equipment, particularly locomotive operating compartments. Since that time, accident investigations have continued to demonstrate that improvements are needed in the crashworthiness design standards for locomotives. The head-end crew should be afforded far more protection than current design of locomotive operating compartments provide.
>
> The lack of a standard for a common sill height has resulted in numerous fatalities and injuries because of one locomotive overriding another. Anti-climbers, at present the only countermeasure, have proven through accident investigation experience to be ineffective at speeds greater than 5 miles per hour. The Safety Board believes that the FRA must mandate a standard to prevent the overrides that occur in collisions. Measures to improve the integrity of the locomotive cabs in collisions or other accidents are also presently available.
>
> The Safety Board believes the present state of locomotive cab safety is unsatisfactory, and that the FRA must move quickly to rectify these problems.

The Committee agrees that after so many years and mounting evidence from accident investigations, more aggressive action is required by the FRA to address this problem. FRA's proposed budget for fiscal year 1991 was only $150,000, the same level as in fiscal year 1990. The Committee's recommendation would raise this to $650,000. In addition, the FRA is directed to proceed expeditiously on locomotive safety rulemakings, or provide a detailed report on why such rulemaking cannot be accomplished.

ADMINISTRATION

The Committee deletes funding for a new electronics engineering position in magnetic levitation (maglev) rail. Since the vast majority of the recommended funding for maglev is expected to be contracted out, the Committee would defer new positions in this area until the results of contract studies are available for review. It is not clear what the workload for this new position would be in the absence of other funded activities to conduct, oversee, or manage.

MAGLEV/HIGH SPEED RAIL

Magnetic levitation is a new transportation technology that relies on the use of magnets for propulsion and levitation rather than conventional steel-wheel-on-rail technology. The fiscal year 1991 funding is established at $12,000,000. The Department of Transportation currently chairs an interagency coordinating committee which is pursuing a cooperative public-private partnership to facilitate private development of an operational maglev system in the United States. The funding is intended for use by the inter-

agency committee to explore the feasibility of a stepped up U.S. effort leading to a competitive program to develop a standard U.S. maglev technology. The fiscal year 1991 effort will be to determine the role of maglev in the U.S. transportation system, the economic feasibility of maglev relative to other transportation modes such as high-speed rail and airplanes, the appropriate safety and operating standards, and the remaining technologies that must be developed to achieve an efficient and environmentally acceptable U.S. system that improves upon the existing design limitations of foreign maglev technologies. This effort will also focus on basic research and development questions associated with maglev technology and subsystem development, including high-temperature superconducting magnets and magnetic shields, advanced power electronics, innovative levitation and guidance concepts, advanced cryostat designs, and composite materials. These activities should be undertaken by taking maximum advantage of the expertise in maglev already possessed by private sector firms and by the Department of Energy's national laboratories.

The Committee also recognizes magnetic levitation is a technology that has yet to be proven in commercial application. While maglev technology holds great promise for the future, there is a pressing need to improve the efficiency of our transportation systems today. For that reason, the Committee believes that full encouragement of the Congress should be given to the efforts to introduce Very High Speed Rail to the United States. The Committee directs the Secretary to make every effort to demonstrate the feasibility of introducing Very High Speed Rail to the United States.

ORANGE COUNTY, CALIFORNIA MONORAIL SYSTEM

The Committee's recommendation includes $1,000,000 for design of an 18-mile monorail system proposed for Orange County, California. It is the Committee's understanding that no federal funds will be requested for the construction or operation of this system, but that $1,000,000 is needed for system design. Funds are provided in this account instead of in the Urban Mass Transportation Administration since the project involves intercity transit between the cities of Santa Ana, Anaheim, Costa Mesa, Orange, and Irvine.

LONG ISLAND RAIL ROAD INTERMODAL PROJECT

The Committee's recommendation includes $250,000 for a study on the potential impact of the Long Island Rail Road Intermodal Project, including the potential relief of bridge and highway congestion in the New York metropolitan area. In addition, language has been included in the bill earmarking these funds.

ELDERLY AND DISABLED ACCESS STUDY

In fiscal year 1990, the Congress included $400,000 within this appropriation for a grant to the National Railroad Passenger Corporation (Amtrak) to undertake research to improve access to rail passenger cars from station platforms for individuals with disabilities and elderly persons. These funds were to be used to research alternate means of access to trains from stations with low platforms, including use of lifts, ramps and other devices that can

ensure safe access. Even though funds were provided, FRA has been unable to award the grant due to a lack of legislative authority. Therefore, the bill includes a provision which gives FRA the authority it needs to conduct this important study.

Settlements of Railroad Litigation

	Appropriation	*Portion applied to debt reduction*
Appropriation, fiscal year 1990	.....	.....
Budget estimate, fiscal year 1991	$3,362,000	−$3,097,000
Recommended in the bill	3,362,000	−3,097,000
Bill compared with:		
Appropriation, fiscal year 1990	+3,362,000	−3,097,000
Budget estimate, fiscal year 1991	.....	.....

The bill includes $3,362,000 for the liquidation of borrowing authority originally used for the properties of the Penn Central Railroad and its subsidiaries which transferred to Conrail in 1976. The recommended level results in new budget authority of $265,000 and liquidation of borrowing authority of $3,097,000. The recommendation represents no change to the budget request.

Northeast Corridor Improvement Program

Appropriation, fiscal year 1990	$24,442,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	16,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−8,442,000
Budget estimate, fiscal year 1991	+16,000,000

Title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 (4R Act) authorized $2.5 billion for the Northeast Corridor Improvement Project. That Act was later amended to add a list of projects to be funded in the event the full authorized funding became available. This project list was again recently amended in the Rail Safety Improvement Act of 1988 to authorize new safety-related projects which the Committee initiated two years ago in the aftermath of the Chase, Maryland Conrail-Amtrak accident.

The Committee recommends $16,000,000 for the Northeast Corridor Improvement Program (NECIP) in fiscal year 1991. No funds were requested by the Administration for this program; Amtrak's request was $58,800,000. Funds are provided specifically for the procurement of two trainsets of dual-propulsion locomotives to be operated on the Northeast Corridor.

Grants to the National Railroad Passenger Corporation

Appropriation, fiscal year 1990	$604,685,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	482,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−122,685,000
Budget estimate, fiscal year 1991	+482,000,000

The National Railroad Passenger Corporation (Amtrak) is a private/public corporation created by the Rail Passenger Service Act

of 1970 and incorporated under the laws of the District of Columbia to operate a national rail passenger system. Amtrak started operation on May 1, 1971.

AMTRAK FUNDING RECOMMENDATION

The Committee recommends a total funding level of $482,000,000 for Amtrak operating and capital expenses in fiscal year 1991. In addition, and for reasons described in a later section of this report, $150,000,000 has been provided to the Federal Railroad Administration in a separate appropriation to make payments on behalf of Amtrak to the Railroad Retirement Trust Fund and the Railroad Unemployment Insurance Account. The $482,000,000 recommended in the bill compares to $402,685,000 for comparable expenses in fiscal year 1990. The budget proposed to discontinue all federal assistance for Amtrak, while Amtrak requested $684,000,000.

FUNDING DISTRIBUTION

The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 Amtrak grant requests, and the Committee recommendations:

[In thousands of dollars]

	Fiscal year 1990	Fiscal year 1991 grant request	Recommended in the bill
Operations:			
Train Operations	$425,600	$429,900	$429,900
Maintenance of Equipment	439,290	444,900	444,900
Maintenance of Way	214,800	215,500	215,500
On-Board Services	167,100	172,500	172,000
Station Services	117,800	120,100	120,100
Marketing/Reservations	186,200	187,300	187,300
General Support	141,300	140,100	140,100
Insurance/Interest	101,600	106,400	106,400
Depreciation	176,100	180,100	180,000
General & Admin	43,000	42,600	42,600
Inflation		76,600	74,184
Non-AMTRAK Programs	−202,000	−216,000	−216,000
Other Expenses	−178,100	−181,000	−181,000
Revenue Avail for Ops	−1,315,500	−1,440,000	−1,440,004
Total Grant	317,100	279,000	276,080
Non-Amtrak Expenses:			
Railroad Retirement	135,000	135,000	2,000
Railroad Unemployment	17,000	17,000	
FELA Expenses	17,000	17,000	17,000
Commuter Operations	33,000	47,000	47,000
Total Grant	202,000	216,000	66,000
Capital:			
Rolling stock	117,009	410,000	367,896
(passenger cars)	(100,000)	(320,000)	(287,396)
(locomotives)	(.....)	(50,000)	(50,000)
(other equipment)	(17,009)	(40,000)	(30,500)
Maintenance facilities	4,350	14,000	14,000
Stations/onboard svcs	13,800	13,500	9,200
Info/communications	15,168	13,000	13,000
Right of way	36,100	23,000	23,000
Other	14,550	26,500	23,824

[In thousands of dollars]

	Fiscal year 1990	Fiscal year 1991 grant request	Recommended in the bill
Revenue Enhancement	−67,392	−37,000	−37,000
Outside Financing	−50,000	−275,000	−275,000
Total Grant	83,585	188,000	138,920
Labor Protection:			
Labor Protection	2,000	1,000	1,000
Total Grant	2,000	1,000	1,000
Amtrak Grant total	604,685	684,000	482,000

OPERATING EXPENSES

The Committee's recommendation would provide a 12.9 percent decrease in grant funds for Amtrak operations instead of a 12.0 percent decrease as requested by Amtrak. Changes to the budget request are as follows:

	Reduction
On-board services (delete training program)	$500,000
Inflation (assume 3.5% instead of 4.4%)	2,416,000

AMTRAK BRIDGES

The Committee is aware of serious difficulties experienced by the City of Philadelphia and other local governments in achieving a mutually agreeable schedule with AMTRAK under which bridges that span AMTRAK lines will be rehabilitated. The consequences of the City's inability to schedule this repair work are both the continuation of unsafe conditions for the traveling public and the potential loss of federal bridge repair funding. The Committee urges that AMTRAK enter into mutually agreeable design and construction schedules with the City of Philadelphia and other local governments to insure that these delays are ameliorated and that this work goes forward in the most efficient manner possible.

NON-AMTRAK EXPENSES

The Committee is concerned that the large excess payments that Amtrak is making to the Railroad Retirement and the Railroad Unemployment Insurance trust accounts artificially inflate Amtrak's need for federal operating support. Amtrak estimates that during fiscal year 1991 it will pay $133,000,000 more in Tier 2 and Supplemental Benefits payments to the Railroad Retirement trust account than actually will be paid out to Amtrak beneficiaries. This is over and above Amtrak's liability of $57,000,000 for the Tier 1 (Social Security equivalent) benefits of its employees. In addition, Amtrak's payments of some $26,000,000 into the Railroad Unemployment Insurance trust account will exceed projected employee benefits by $17,000,000. These excess Railroad Retirement and Railroad Unemployment Insurance payments, which together total $150,000,000, are counted as revenue by the Treasury and used to pay other federal liabilities. In this way, Amtrak is essentially giving back to the Federal Government a significant amount of its federal operating grant. Amtrak's real cost to the federal taxpayer in fiscal year 1991 will in fact be $150,000,000—over 30 percent—

less than its $496,000,000 operating grant request. With these expenses removed, Amtrak's revenue-to-cost ratio is 84 percent.

This year, the Committee received the following testimony on excess payments to the railroad retirement trust fund from the President of Amtrak and the Administrator of FRA:

Mr. LEHMAN. The largest component of those costs, $135 million, is for payments to the Railroad Retirement Fund. Mr. Carmichael, how does this fund work? In your view, is it fair for Amtrak in essence to use Federal funds to subsidize the retirement fund?

Mr. CARMICHAEL. In using my kind of layman terms on it, we have Social Security as the first base, and then we have a special program above that as the Tier II. Under the Retirement Act, Amtrak and its employees pay Tier II and supplemental taxes that will total an estimated $179 million in fiscal 1991.

As I understand it, if actual costs were what they paid, it would be $44 million. As a result, Amtrak's employees and the Amtrak company are paying about $135 million more than their share.

Mr. LEHMAN. They are in turn subsidizing the employees of the non-passenger railroads.

Mr. CARMICHAEL. Yes, sir, that's right.

Mr. LEHMAN. Mr. Claytor, you have no problem with that?

Mr. CLAYTOR. Yes, sir. Well, you see, we pay—that $135 million is money that we are paying back to the federal government, which is then used for the retirement benefits of other railroads' retirees.

Mr. LEHMAN. "We" means eventually the American taxpayer.

Mr. CLAYTOR. That's right. I think that should be paid by the other railroads, frankly.

Mr. CARMICHAEL. The other railroads at this point.

Mr. CLAYTOR. Frankly, a good part of that which could be said to be very unfair is the requirement that somebody has to pay for the orphans and step-children: that is, retirees of railroads that are no longer in existence. Amtrak had nothing to do with any of those, but some of the other railroads didn't either. This is being temporarily taken care of largely by transfer to the fund of income taxes paid by the Tier II retirees on receiving railroad retirement.

That takes care of the unfair part, it seems to me. And the freight railroads ought to pay for their own retirees, apart from that one exception. And that means that $135 million ought not to be paid by us, it ought to be paid by the fellows who have the retirees. And it seems to me to be grossly unfair to do it this way.

Mr. CARMICHAEL. And at the present point, Mr. Chairman, we're subsidizing it and then turning around and paying it.

Mr. CLAYTOR. Yes.

In order to clarify the true amount of federal subsidy to Amtrak without adversely affecting the financial soundness of the Railroad Retirement and Unemployment trust funds, the Committee has reduced Amtrak's operating grant by the $150,000,000 and provided the same amount to the Federal Railroad Administration to be paid by FRA to the two trust accounts on behalf of Amtrak in such amounts and at such times as required. Amtrak shall provide the FRA with the necessary computation of the amounts required to be paid to meet the requirements of the Railroad Retirement Act.

In the future, the Committee expects the Railroad Retirement Board to advise Amtrak by January 1 of each year of its estimate for the next fiscal year of the amount of benefits to be paid under the Railroad Retirement Act to former employees and other beneficiaries of employees whose last railroad employment was with Amtrak. The Committee directs Amtrak to then estimate the total amount of Amtrak payments into the two trust accounts and to provide to the Committee its estimate of excess Railroad Retirement (Tier 2 and Supplemental benefits) payments and Railroad Unemployment Insurance (benefits and repayment tax) payments for the next fiscal year. Except to the extent of amounts paid by

the FRA to the Railroad Retirement Board, Amtrak shall continue to be liable for all taxes that normally would be payable by the corporation as a railroad employer under the Railroad Retirement Act and the Railroad Unemployment Insurance Act. Any differences between Amtrak's estimate of excess payments and its actual liability can be reconciled in subsequent appropriations bills.

CAPITAL EXPENSES

For Amtrak capital expenses, the Committee has provided a total of $138,920,000. This is $49,080,000 below the $188,000,000 requested by Amtrak, but $55,335,000 above the fiscal year 1990 level.

The Committee reiterates the position taken last year that Amtrak's need for increases in capital investment is valid. First, Amtrak is experiencing rising maintenance costs because older parts are becoming increasingly difficult to obtain, and because older design vehicles are not efficient or easy to maintain. For example, the average annual maintenance cost of Amtrak's Superliner passenger car fleet has risen 78 percent in three years—from $24,058,444 in fiscal year 1987 to an estimated $42,896,784 in fiscal year 1990—even though the number of cars has remained constant. The average age of Amtrak locomotives will be 17 years old in 1995 assuming no replacement. The industry standard for replacement is approximately 15 to 18 years. Amtrak's total estimated expenses for equipment maintenance have risen from $349,900,000 in fiscal year 1987 to an estimated $444,900,000 in fiscal year 1991.

Secondly, Amtrak, is turning away customers on some routes because of a lack of capacity. If Amtrak is to generate the additional revenues needed to reduce its federal subsidy, then investment in capital will unquestionably be necessary. The Committee also notes that the Federal Railroad Administration agrees with Amtrak's need for a large amount of capital. For these reasons, the Committee approves $138,920,000 for Amtrak capital in fiscal year 1991. Reductions to the capital funding request are as follows:

ROLLING STOCK

Amtrak stated that funds for the third buy of Superliner passenger cars are not expected to be put under contract until fiscal year 1992. Therefore, the Committee recommends a reduction of $32,604,000, which is the estimated federal cost share of the $85,800,000 acquisition. In addition, reductions are proposed in "other equipment" due to lack of justification (−$9,500,000).

STATIONS AND OTHER COSTS

The Committee recommends reductions in the grant request for stations (−$4,300,000) and other capital expenses (−$2,676,000) to delete funds for reserves and training expenses. Amtrak should not request grant funding for management reserves. Nor should they budget for training expenses in the capital grant request. The Committee has provided an adequate grant for operations to cover needed training of Amtrak employees.

MANDATED FEDERAL TRAVEL

The Committee was disturbed to learn that the General Services Administration recently awarded the Washington-to-New York and Washington-to-Newark city pairs for mandated federal employee travel to airlines, even though Amtrak's bid was lower. It seems clear that the Federal Government can realize two types of savings if Amtrak is awarded city pairs in those cases where they are the lowest bidder: first, the individual federal agency's travel costs would be reduced; and second, Amtrak's federal grant subsidy could be reduced due to higher revenues. The Secretary of Transportation stated that "there is no question in my mind that it is less expensive and more sure to take the train from Washington to New York than to go any other way". The Committee agrees. Therefore, the Department, in consultation with the Office of Management and Budget, is directed to submit a report to the House and Senate Committees on Appropriations by January 15, 1991 which explains the Administration's position and plans for expanding the use of Amtrak for federal business travel beginning in fiscal year 1991. This report should be coordinated with the General Services Administration.

AMTRAK'S FINANCIAL PERFORMANCE

Amtrak continues to make substantial improvement in its financial performance, especially as it relates to reducing the cost of providing national rail passenger service. As the data below illustrate, Amtrak has increased its ridership and revenues, decreased its subsidy per passenger mile, and maintained its service despite steadily decreasing levels of federal operating support.

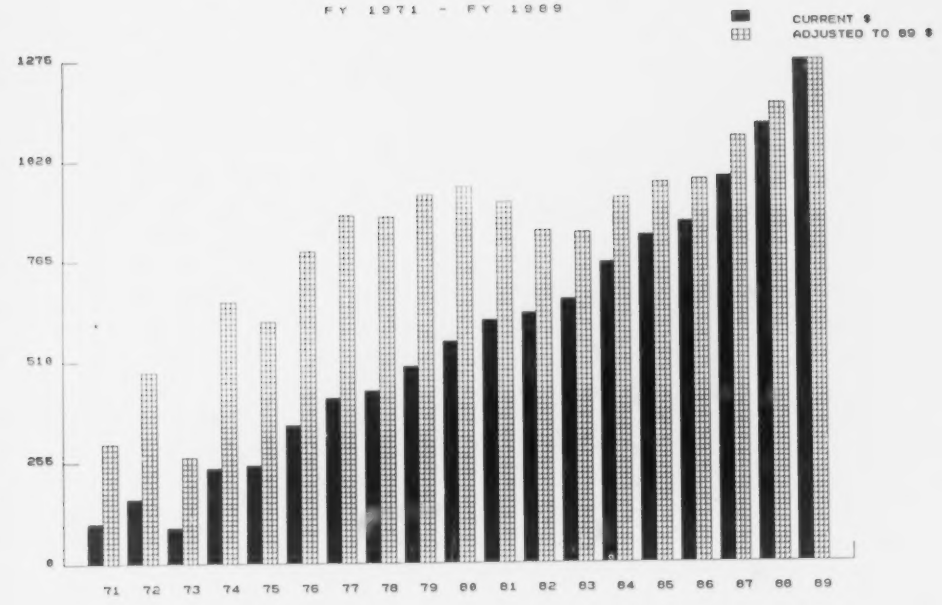
AMTRAK
RIDERSHIP AND REVENUE HISTORY

Period	Passenger Miles (Millions)	Intercity Ridership (Millions)	Revenue ($ Millions)	Percent Change from Prior Year: Passenger Miles	Ridership	Revenue
CY 71 May–December	1,779	10.6	$100.9			
CY 72	2,978	16.6	162.6	67.4%	56.6%	61.1%
FY 74	4,290	18.4	240.1	44.1%	10.8%	47.7%
FY 75	3,946	17.3	246.5	-8.0%	-6.0%	2.7%
FY 76	4,055	17.8	283.0	2.8%	2.9%	14.8%
FY 77	4,333	19.2	415.4	6.9%	7.9%	46.8%
FY 78	4,029	18.9	433.3	-7.0%	-1.6%	4.3%
FY 79	4,915	21.4	496.3	22.0%	13.2%	14.5%
FY 80	4,582	21.2	558.8	-6.8%	-0.9%	12.6%
FY 81	4,762	20.6	612.2	3.9%	-2.8%	9.6%
FY 82	4,172	19.0	630.7	-12.4%	-7.8%	3.0%
FY 83	4,246	19.0	664.4	1.8%	0.0%	5.3%
FY 84	4,552	19.9	758.8	7.2%	4.7%	14.2%
FY 85	4,825	20.8	825.8	6.0%	4.5%	8.8%
FY 86	5,014	20.3	861.4	3.9%	-2.4%	4.3%
FY 87	5,221	20.4	973.5	4.1%	0.5%	13.0%
FY 88	5,678	21.5	1,106.7	8.8%	5.4%	13.7%
FY 89	5,859	21.3	1,269.1	3.2%	-0.9%	14.7%
FY 90 Estimate	6,247	23.5	1,371.7	6.6%	10.3%	8.1%
FY 91 Projection	6,510	23.7	1,500.0	4.2%	0.9%	9.4%

AMTRAK

REVENUE

FY 1971 - FY 1989



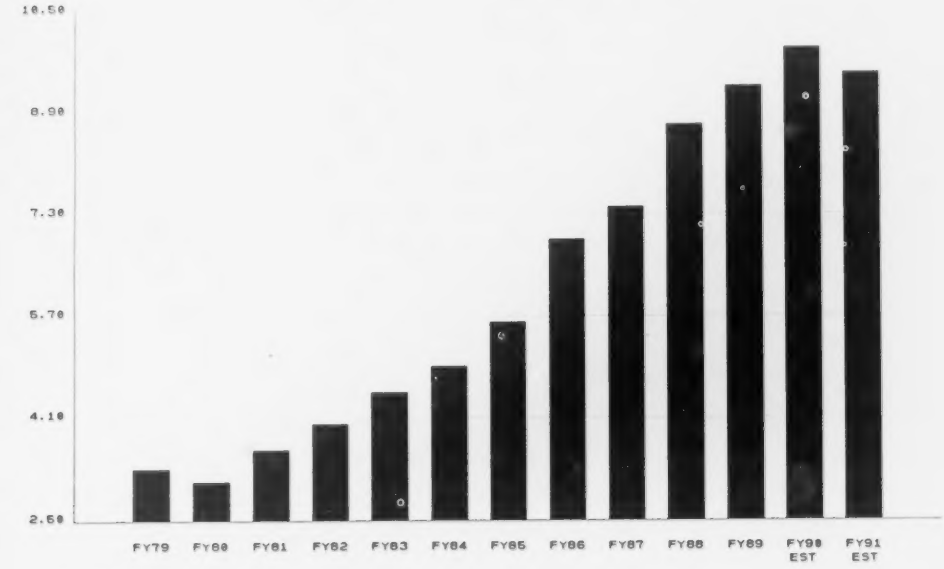
NOTE -- FY73 IS 6 MONTH TRANSITION PERIOD (JAN-JUN)
-- FY76 INCLUDES TRANSITION QUARTER

AMTRAK
JANUARY 1990

AMTRAK

PASSENGER MILES PER FEDERAL SUPPORT $

FY 1979 - FY 1991



NOTE -- FEDERAL SUPPORT IN CONSTANT 1991 DOLLARS

AMTRAK
JANUARY 1990

32-197 0 - 90 - 5

PAYMENTS ON BEHALF OF THE NATIONAL RAILROAD PASSENGER CORPORATION

Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....
Recommended in the bill	$150,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+150,000,000
Budget estimate, fiscal year 1991	+150,000,000

The bill includes a separate appropriation made to the Federal Railroad Administration for payments on behalf of the National Railroad Passenger Corporation (Amtrak) for certain non-Amtrak expenses. These payments would be made to the Railroad Retirement Trust Fund ($133,000,000) and the Railroad Unemployment Insurance Account ($17,000,000) for pass-through subsidies for non-Amtrak retirees and employees.

These funds are required Amtrak expenses and are included in Amtrak's fiscal year 1991 grant request. However, Amtrak requested a separate appropriation in order to more accurately reflect their true operating subsidy. This approach was supported by the Federal Railroad Administration. A more detailed discussion of this recommendation is included under the heading "Non-Amtrak Expenses" in a previous section relating to Grants to the National Passenger Railroad Corporation.

RAILROAD REHABILITATION AND IMPROVEMENT FINANCING FUNDS

(RAILROAD CREDIT ENHANCEMENT)

Limitation, fiscal year 1990	($49,850,000)
Budget estimate, fiscal year 1991	(.....)
Recommended in the bill	(32,000,000)
Bill compared with:	
Limitation, fiscal year 1990	(−17,850,000)
Budget estimate, fiscal year 1991	(+32,000,000)

The bill includes language requiring the sale of repayable railroad loans currently held by the Federal Government with a principal value of $32,000,000 for amounts equal to or greater than the net present value of each loan. Such valuations shall be determined by the Secretary of Transportation in consultation with the Treasury Department. The bill also authorizes the use of loan sale proceeds for necessary underwriting fees and related expenses.

LIMITATION ON NEW LOAN GUARANTEES

The bill continues language enacted in fiscal year 1990 authorizing the Secretary of Transportation to issue notes or other obligations to the Secretary of the Treasury to pay any amounts required pursuant to the federal guarantee of loans made under the authority of sections 511 through 513 of P.L. 94–210, as amended. The bill also includes a continuation of the existing prohibition on all new section 511 loan guarantees, as requested in the budget.

SECTION 511 LOAN GUARANTEES

The President's budget proposed no section 511 railroad loan guarantees for fiscal year 1991, and the recommended bill includes

no such funding. The Committee is unable to provide funding for the section 511 program since no primary loan guarantee authority was allocated to the transportation budget function for fiscal year 1991. Should such authority become available in the future, the Committee agrees to reconsider this program on its merits.

In a recent report, the Department of Transportation estimated the extent of deferred maintenance and rehabilitation needs for shortline and regional railroads to be $600,000,000 or more. Railroads reporting a need for rehabilitation accounted for almost half of the carloads and over 75 percent of the main and branch line track covered in the Department's survey. This work included 7,000,000 new railroad ties, over 2000 miles of rail replacement, and repair or replacement of over 700 bridges.

The backlog of deferred maintenance and rehabilitation needs of the shortline and regional railroads is substantial, and financing arrangements for the highest priority elements will be essential if these railroads are to remain viable. Financing of rail rehabilitation through loan guarantees would improve cash flow for these companies and help to preserve the railroad infrastructure.

Regional Rail Reorganization Program

	Appropriation	*Portion applied to debt reduction*
Appropriation, fiscal year 1990	$101,273,000	−$94,648,000
Budget estimate, fiscal year 1991	307,979	−284,979
Recommended in the bill	307,979	−284,979
Bill compared with:		
Appropriation, fiscal year 1990	−100,965,030	+94,363,021
Budget estimate, fiscal year 1991	.....	.....

The Committee recommends an appropriation of $307,979 to pay off notes to the Treasury Department that were issued in conjunction with the loan default of the Central Railroad of New Jersey Industries. This includes $284,979 to liquidate borrowing authority. This loan was made originally by the United States Railway Association under section 211(h) of the Regional Rail Reorganization Act of 1973. These funds were originally included in the appropriations bill last year, but were later reduced to finance anti-drug legislation. The fiscal year 1991 request restores the offset to close out this account. The recommended level represents no change to the budget request.

Conrail Commuter Transition Assistance

Appropriation, fiscal year 1990	$4,920,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	5,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+80,000
Budget estimate, fiscal year 1991	+5,000,000

The Committee recognizes the additional financial burden placed on local governments by enactment of the Northeast Rail Service Act of 1981, which transferred more than 400 bridges from federal to local ownership. To assist in this burden, the Committee has pro-

vided $5,000,000 to continue activities funded last year for this purpose. This appropriation is to be made available to the Southeastern Pennsylvania Transportation Authority to continue bridge repair work in North Philadelphia, Pennsylvania in a corridor between Allegheny and Atlantic Avenues that includes five bridges.

AMTRAK CORRIDOR IMPROVEMENT LOANS

Appropriation, fiscal year 1990	($3,500,000)
Budget estimate, fiscal year 1991	(.....)
Recommended in the bill	(3,500,000)
Bill compared with:	
Appropriation, fiscal year 1990	(.....)
Budget estimate, fiscal year 1991	(+3,500,000)

The bill contains a provision authorizing the Secretary to provide $3,500,000 in low interest (4 percent per annum) loans to the Southern Pacific Railroad, successor to the Chicago, Missouri and Western Railroad, to upgrade its roadbed with continuously welded rail between Joliet and Granite City, Illinois. These funds are to be matched on a dollar-for-dollar basis by the State of Illinois. This project is necessary to improve the quality of rail passenger service in the area, which has declined markedly due to poor track conditions. This is the same amount of funding that was provided in fiscal year 1990 for this project.

In addition, the bill includes a provision which requires that such loans shall be made within 30 days of enactment of this Act. This is identical to language included in the fiscal year 1990 Supplemental Appropriations Act, which became necessary to ensure timely execution of the project.

URBAN MASS TRANSPORTATION ADMINISTRATION

SUMMARY OF FISCAL YEAR 1991 PROGRAM

The Urban Mass Transportation Administration (UMTA) administers the federal financial assistance programs for planning, developing and improving comprehensive mass transportation systems in both urban and non-urban areas.

Most of the UMTA programs will be funded with direct appropriations in fiscal year 1991. However, the discretionary grant and section 9(B) formula grant programs will continue to be financed with contract authority granted by the Surface Transportation and Uniform Relocation Assistance Act of 1987.

The total recommended funding for UMTA for fiscal year 1991 amounts to $3,203,770,000, including $2,003,770,000 in direct appropriations and a $1,200,000,000 limitation on the use of contract authority. This is $903,568,000 more than the budget request and $156,036,000 more than the enacted fiscal year 1990 program level.

The following table summarizes the fiscal year 1990 program levels, the fiscal year 1991 program requests, and the Committee's recommendations:

Program	Fiscal year 1990 program level	Fiscal year 1991 program request	Recommended in the bill
Administrative expenses	$31,809,000	$35,402,000	$32,770,000
Research, training, and human resources	9,970,000	10,000,000	8,000,000
Formula grants	1,625,110,000	1,076,800,000	1,695,000,000
Discretionary grants	[1] 1,136,580,000	[1] 1,140,000,000	[1] 1,200,000,000
Interstate transfer grants-transit	159,520,000	.....	160,000,000
Washington Metro	84,745,000	38,000,000	108,000,000
Total	3,047,734,000	2,300,202,000	3,203,770,000

[1] Limitation on obligations.

Administrative Expenses

Appropriation, fiscal year 1990	$31,809,000
Budget estimate, fiscal year 1991	35,402,000
Recommended in the bill	32,770,000
Bill compared with:	
Appropriation, fiscal year 1990	+961,000
Budget estimate, fiscal year 1991	−2,632,000

The bill includes an appropriation of $32,770,000 for administrative expenses of the Urban Mass Transportation Administration. This amount, plus the use of any available unrestricted authorities, should provide sufficient funds for UMTA's personnel and support requirements.

The amount recommended includes an increase of $475,000 over the budget estimate for eight additional positions and reductions of $3,062,000 for rental payments to GSA and $45,000 for printing costs. Over the past several years, the General Accounting Office and the Office of the Inspector General have been critical of UMTA's performance of its oversight responsibilities with respect to project management. The Inspector General specifically cited UMTA's limited administrative resources and staffing as major reasons UMTA is unable to conduct adequate oversight of its national grant program, which currently has $35,000,000,000 in active grants. In addition, UMTA's project oversight was listed as a material weakness in the Secretary's annual assurance letter. While the Department has requested an additional ten full-time equivalent (FTE) workyears to help strengthen UMTA's project oversight, the Committee believes that this request is inadequate. As a result, the Committee has included sufficient funding for 433 FTEs, eight more than the budget request.

The bill continues the language enacted in fiscal year 1990 prohibiting the use of funds to implement or enforce the April 25, 1989, notice of proposed rulemaking related to major capital investment projects.

TRANSIT VEHICLE TESTING

The Surface Transportation and Uniform Relocation Assistance Act of 1987 established new authority for the Urban Mass Transportation Administration to assure that buses purchased with federal transit assistance meet safety standards and "Buy American" requirements, and that new or redesigned buses be tested for features such as maintainability, safety, performance and fuel economy at a new federal testing facility. Concern has been expressed by

vehicle manufacturers that extension of these requirements to vans which are used in some UMTA-supported programs would duplicate existing requirements (such as federal safety and fuel economy rules), create significant and unnecessary costs and delays, and provide no incremental benefits to transit system users. The Committee finds merit in these concerns, and suggests that in issuing final rules on these requirements, UMTA exclude vans and similar vehicles from tests which are duplicative of other tests required under other statutes.

Research, Training, and Human Resources

Appropriation, fiscal year 1990	$9,970,000
Budget estimate, fiscal year 1991	10,000,000
Recommended in the bill	8,000,000
Bill compared with:	
Appropriation, fiscal year 1990	−1,970,000
Budget estimate, fiscal year 1991	−2,000,000

The Committee recommends $8,000,000 for the research, training, and human resources programs of the Urban Mass Transportation Administration. The $2,000,000 reduction from the budget estimate is based on the slow rate of obligations for this program. As of April 30, 1990, there was an unobligated balance of $13,488,000 under this appropriation.

The following table summarizes the fiscal year 1990 appropriation, fiscal year 1991 budget estimate and Committee recommendation:

	Fiscal year 1990	Fiscal year 1991 budget estimate	Recommended in the bill
Research and technical assistance (Sec. 6)	$7,777,000	$7,800,000	$6,200,000
Management training (Sec. 10)	399,000	600,000	500,000
University research (Sec. 11)	598,000	600,000	500,000
Human resources (Sec. 20)	1,196,000	1,000,000	800,000
Total	9,970,000	10,000,000	8,000,000

The amount recommended for research and technical assistance includes $1,000,000 for the continuation of the phosphoric acid fuel cell bus technology development program to be administered by the university which had oversight over the feasibility study and coordinated the activities of the advisory committee. The Secretary shall enter into agreements with the Department of Energy to coordinate the research activities on the phosphoric acid fuel cell.

Alcohol and Tobacco Advertising on Transit Systems

There is increasing concern among public health officials about the adverse effects of advertising for alcohol and tobacco products, particularly advertising targeted at youth, women, and minority groups. The Urban Mass Transportation Administration is directed to submit a report to Congress summarizing the current alcohol, tobacco, and public service advertising policies of public transit systems from urbanized areas with populations of 1,000,000 or more. The Committee expects the report to include data on the amount and the proportion of total advertising space allocated to alcohol

and tobacco products, the space allocated to public service advertisements, the revenues received from alcohol and tobacco advertising, and the proportion of the transit agencies' total revenues attributable to alcohol and tobacco advertising.

COST SHARING

In those instances where the research conducted under this program will result in the development of new or improved marketable products by private sector firms, the Committee expects UMTA to work toward arrangements that will include the sharing of such research costs by these private sector firms.

Formula Grants

Appropriation, fiscal year 1990	$1,625,110,000
Budget estimate, fiscal year 1991	1,076,800,000
Recommended in the bill	1,695,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+69,890,000
Budget estimate, fiscal year 1991	+618,200,000

The bill includes $1,690,000,000 for formula grants. This amount plus the $100,000,000 included under section 9(B) would provide for a total formula grant program of $1,790,000,000, an increase of $100,085,000 over fiscal year 1990. The Committee believes this increase is essential to permit UMTA to adequately assist communities throughout the nation in maintaining and improving existing public transportation systems. An additional $5,000,000 is provided under this account for the section 18(h) rural transportation assistance program.

The formula grant program was authorized by the Surface Transportation Assistance Act of 1982 and extended by the Surface Transportation and Uniform Relocation Assistance Act of 1987. The program provides formula-allocated funds for mass transportation capital and operating assistance in both urbanized and non-urbanized areas. The funds appropriated to urbanized areas may be used for fixed guideway and bus capital projects, as well as for operating assistance and planning projects. The funds appropriated to non-urbanized areas may also be used for capital, operating and planning projects and are intended to assist states, local public authorities, nonprofit organizations and other operators of public transportation services in providing public transportation to residents of rural areas and small communities.

The amount recommended, including $100,000,000 of section 9(B) funds, would be distributed as follows:

Urbanized areas with populations of 200,000 or more.—These areas would receive $1,582,897,000. Of this amount $1,055,950,600 would be available for the bus tier, most of which is distributed 50 percent based on revenue vehicle miles, 25 percent based on population and 25 percent based on population density. The remaining $526,946,400 is for the fixed guideway tier which, for the most part, is distributed 60 percent based on revenue vehicle miles and 40 percent based on route miles. Within these distributions, there is also an incentive tier for both bus and fixed guideway, which is based on passenger miles and operating cost.

Urbanized areas under 200,000 population.—These areas would receive $154,656,000 to be distributed 50 percent based on population and 50 percent based on population density.

Nonurbanized areas.—These areas would receive $52,447,000 or 2.93 percent of the total recommended. In addition, $5,000,000 for the section 18(h) rural transportation assistance program will be available to nonurbanized areas.

OPERATING ASSISTANCE

Under the Committee recommendation, $802,278,000 of the formula grant appropriation would be available for operating assistance. This is the same as the fiscal year 1990 level and $504,478,000 more than the budget estimate. The Committee has deleted the requested language that would have limited operating assistance to areas with populations of 1,000,000 persons or less.

GRANT ALLOCATION DATA

The Committee directs the Urban Mass Transportation Administration to use the most current available audited section 15 data in allocating section 9 formula grants for fiscal year 1991.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Limitation, fiscal year 1990	($1,136,580,000)
Budget estimate, fiscal year 1991	(1,140,000,000)
Recommended in the bill:	(1,200,000,000)
Bill compared with:	
Limitation, fiscal year 1990	(+63,420,000)
Budget estimate, fiscal year 1991	(+60,000,000)

The bill includes language limiting to $1,200,000,000 obligations for the discretionary grant and section 9(B) formula grant programs. The Surface Transportation and Uniform Relocation Assistance Act of 1987 continues to provide contract authority for the discretionary grants program from the mass transit account of the highway trust fund. In addition, this legislation establishes a new authorization from the mass transit account to be split equally between the section 3 activity of the discretionary grant program and a new section 9(B) formula capital grant program. This limitation does not apply to discretionary grant funds made available in prior years nor to section 18 nonurban formula grant funding made available under section 21(a)(2)(A) as added by the Surface Transportation Assistance Act of 1982.

The amount recommended for the discretionary grant program is to be distributed as follows:

	Fiscal year 1990 enacted	Fiscal year 1991 budget estimate	Recommended in the bill
Bus and bus facilities	$132,102,500	$193,000,000	$135,000,000
Rail modernization and extensions	430,704,000	394,000,000	440,000,000
New systems and new extensions	419,238,500	398,000,000	440,000,000
Planning	44,865,000	45,000,000	45,000,000

	Fiscal year 1990 enacted	Fiscal year 1991 budget estimate	Recommended in the bill
Elderly and handicapped	34,895,000	35,000,000	35,000,000
University transportation centers	4,985,000	5,000,000	5,000,000
Section 9(B) formula grants	69,790,000	70,000,000	100,000,000
Total	1,136,580,000	1,140,000,000	1,200,000,000

BUS AND BUS FACILITIES

The Committee recommends $135,000,000 under this heading for bus purchases and bus facilities, including maintenance garages. Bus systems are expected to continue to play a vital role in the mass transportation systems of virtually all cities. UMTA estimates that approximately 95 percent of the areas that provide mass transit service do so through bus transit only and over 60 percent of all transit passenger trips are provided by bus. The Committee believes that the $135,000,000 recommended under this heading, together with other appropriations that are available for bus projects, should provide the funding necessary to retain existing bus riders as well as to attract new riders who currently use private automobiles.

As has been stated in prior reports, the Committee expects that the major rail areas will receive equal consideration along with all other cities under this program. In addition to the rail transit service provided in those locations, a significant portion of the nation's bus service is provided in these areas.

Minneapolis.—The Committee is aware of both the traffic and pollution problems in Minneapolis, Minnesota. The city has developed a plan to facilitiate an energy efficient, environmentally sound, easily accessible inner city shuttle system. The total cost of the system is $101,000,000 with a local share of about 80 percent ($80,000,000). The shuttle will be powered by natural gas and the terminal will be accessible to light rail (future development), commuter buses, automobiles, bicycles, and pedestrians. The Committee has included $8,000,000 for this project.

Berkshire Regional Transit Authority.—The Committee is aware of the special need of the Berkshire Regional Transit Authority for replacement of ten buses due to undercarriage deterioration. The Committee has included $1,700,000 for this purpose.

Buffalo.—The Committee supports the ongoing efforts of the Niagara Frontier Transportation Authority (NFTA) to upgrade bus operations in its service area. The NFTA is restoring its operating facilities and upgrading its bus fleet. The Committee supports the intent of the NFTA to seek funding for fifty buses. The Committee understands that the NFTA may propose UMTA consideration of innovative financing techniques, including the use of lease purchase securities, to increase the purchasing power of federal funds. The Committee believes UMTA should consider this type of financing approach. Additionally, the Committee supports the NFTA plan to renovate its radio communications system for the bus fleet, and considers that such a funding request should receive priority consideration due to the safety and operational improvements that will result from such a renovation.

Maryland.—The Committee is aware that the Maryland Mass Transit Administration is seeking to improve the extent of service for Baltimore, Annapolis, Cumberland, and Hagerstown and assist in replacement of existing vehicle stock. The Committee directs UMTA to provide $4,000,000 for this purpose.

Gallup.—The Committee is aware of efforts to establish a multimodal transportation facility in Gallup, New Mexico. The Committee directs UMTA to give priority consideration to the $416,000 grant application for this project.

RAIL MODERNIZATION

The Committee recommends $440,000,000 from the discretionary grants program to modernize existing rail transit systems. Funding for rail modernization is provided primarily to nine areas: New York, northern New Jersey, southern Connecticut, Chicago, Philadelphia, Pittsburgh, Boston, Cleveland and San Francisco. These rail systems account for approximately 30 percent of total nationwide transit ridership.

In addition to the areas listed above, commuter rail service in southern New Jersey, Maryland, and northern Indiana and the light rail system in New Orleans are occasional recipients of rail modernization funding.

The discretionary grants provided to these areas for the last nine years are as follows:

SECTION 3—RAIL MODERNIZATION OBLIGATIONS—FISCAL YEARS 1982–1990

[In millions of dollars]

Urbanized area	1982	1983	1984	1985	1986	1987	1988	1989	[1] 1990
Boston	$63.0	$69.3	$70.3	$24.9	$69.6	$13.1	$51.4	$16.6	$27.1
New York	252.5	283.0	153.2	161.3	122.8	120.2	20.4	200.1	176.5
Southwest Connecticut	18.0	21.6	4.8	0	0	27.0	0	91.7	0
Northeast New Jersey	95.8	82.0	39.2	24.5	36.7	46.3	0	96.6	40.2
Philadelphia	94.4	105.1	63.7	6.0	91.9	52.5	75.5	86.8	52.5
Pittsburgh	81.5	50.0	79.0	42.8	0	3.6	0	0	0
Chicago	133.4	116.2	60.0	43.3	66.7	34.1	152.4	82.3	0
Cleveland	18.0	9.9	7.7	11.3	11.3	0	16.2	0	0
San Francisco	62.1	70.9	66.1	26.5	47.0	22.0	35.0	18.2	20.4
Others	30.2	62.0	1.5	2.4	33.0	0	15.2	14.7	14.0
Unobligated	0	0	0	0	0	0	0	0	265.3
Total	848.9	870.0	545.5	343.0	479.0	318.8	366.1	607.0	596.0

[1] Includes obligations through June 22, 1990.

The Committee directs UMTA to give priority consideration to grant applications of $9,750,000 for the State of Maryland's commuter rail service, $2,800,000 for the City of El Paso streetcar project, and $2,500,000 for renovation of the North Philadelphia regional rail station. In addition, within the funds allocated to the San Francisco area the Committee directs that priority consideration be given to the MUNI Metro Embarcadero turnback project.

NEW SYSTEMS

Under the Committee recommendation the sum of $440,000,000 would be available for preliminary engineering, right-of-way acqui-

sition, project management oversight, and construction for new systems and extensions. These funds are to be distributed as follows:

Los Angeles (rail construction)	$150,000,000
Atlanta (rail construction)	35,000,000
St. Louis (light rail)	66,000,000
Miami (circulator)	15,000,000
Denver (busway)	17,600,000
Houston	30,000,000
Baltimore (light rail)	4,000,000
Jacksonville (automated skyway)	22,000,000
San Francisco (rail construction)	45,000,000
Dallas (light rail)	20,000,000
Honolulu (engineering and design)	10,000,000
Salt Lake City (engineering and design)	5,000,000
Cleveland (engineering and design)	5,000,000
Chicago (engineering and design)	15,000,000
San Diego (preliminary engineering)	400,000
Total	440,000,000

St. Louis.—The Committee directs that $4,000,000 of the $66,000,000 allocated for the Metro Link project in fiscal year 1991 be set aside by the Bi-State Development Agency to conduct preliminary engineering studies for the extension of the light rail system from downtown St. Louis into the St. Clair County, Illinois corridor near Belleville, Fairview Heights, and O'Fallon, Illinois.

Houston.—Although the new starts funds provided for Houston are decreased to $30,000,000 in fiscal year 1991, this should not be interpreted as prejudice against the system. To the contrary, the Committee continues to support Houston Metro devising a system that has, at the minimum, realistic ridership and capital cost projections, acceptable time forecasts, reasonable projections for operating and maintenance costs, a minimal net operating deficit, decreased traffic congestion projections, no potential for decrease in the 25 percent voter-approved expenditure dedicated to general mobility, and, most importantly, no potential increase in the dedicated local sales tax to pay for operation and maintenance. The Committee remains hopeful that Houston can meet these criteria in devising its newly-structured and economically feasible public/private partnership.

Jacksonville.—The Committee has allocated $22,000,000 for the Jacksonsville automated skyway express project. The Committee directs the Secretary to continue negotiations with the Jacksonville Transportation Authority to finalize the existing full funding contract and to provide for the expeditious release of all funds made available for the project with no compensating adjustment to previous or future section 9 apportionments made available to Jacksonville. The revised contract should provide for full project costs, including the discretionary grants made available by the Congress. The Committee expects these negotiations to be completed no later than 60 days after enactment of the bill. Prior to concluding these negotiations, the Committee expects UMTA to have received a financing plan for meeting the capital and operating costs of the 2.5 mile system. This plan should include an analysis of operating subsidy requirements against a range of ridership estimates and should be developed in accordance with UMTA's major capital investment project planning procedures. In the interim the Commit-

tee does not expect the Secretary to use the lack of sufficient federal funds to complete an operable segment as a basis for disapproval of an application from the Jacksonville Transportation Authority for the funds allocated for this project in fiscal year 1990, if such grant agreement includes the standard protections of federal investment that are contained in all full funding contracts.

San Francisco.—The Committee has provided a total of $45,000,000 for the Colma extension and TASMAN corridor projects. The Committee continues to support the efforts of Santa Clara County, California to extend transit service on the TASMAN corridor into the Sunnyvale/Mountain View portion of high tech Silicon Valley. The Santa Clara County transit district will spend substantial local funds prior to construction of the TASMAN corridor including AA/DEIS, preliminary engineering, final design, right-of-way acquisition and vehicle purchase. Santa Clara County plans to use local funds for fifty percent of the project's cost. The Committee directs UMTA to credit the local funds expended in advance of construction towards the project cost overmatch.

Dallas.—The Committee has provided $20,000,000 for the Dallas area light rail project. The Committee commends the Dallas Area Rapid Transit Authority (DART) for its efforts to develop a cost-effective transit system to serve the metropolitan Dallas area. The first implementation phase of DART's efforts, known as the "starter system plan", is to consist of 20 miles of light rail transit, 17.6 miles of HOV facilities, an 18 mile commuter rail line, nearly $280,000,000 in bus improvements, and nearly $94,000,000 in mobility projects in portions of the transit service area which will not immediately be served by fixed guideway facilities. The 20 miles of light rail planned in the starter system includes the South Oak Cliff Corridor, which is currently in final stages of evaluation through the UMTA alternatives analysis/DEIS process. The Committee understands that DART intends to seek federal funds for 50 percent of the project in this corridor. DART will provide the remaining fifty percent as well as all of the funds necessary to construct the West Oak Cliff and North Central lines in the starter system plan. Thus DART is proposing that the federal share of the light rail element of the starter system will be 20 percent. The Committee endorses the extraordinary local financing effort for the starter system by the Dallas area. It is intended that the $20,000,000 allocated by the Committee for Dallas be made available to DART upon completion of the final EIS. The Committee would encourage UMTA and DART to negotiate a full funding contract for the remainder of this project upon enactment of legislation to extend UMTA's authority to finance transit projects.

Portland.—The bill includes a general provision (Sec. 328) requiring the Secretary to issue a letter of intent and enter into a full funding agreement for the Westside light rail extension, including system related costs, between downtown Portland and S.W. 185th Avenue. The full funding agreement should provide for a future amendment for an extension known as the Hillsboro project, which extends from S.W. 185th Avenue to the transit center in the City of Hillsboro. As expressed in last year's Committee report, the federal obligation for both the Hillsboro project and the Westside light rail project shall be set forth at the level authorized by 49 U.S.C.

1603(a). System related costs are defined as unfunded components of the overall light rail system that lie east of the Willamette River, Portland, Oregon. It is not the Committee's intent to waive any environmental procedures provided under the National Environmental Policy Act.

Buffalo.—The Committee supports the efforts of the Niagara Frontier Transportation Authority (NFTA) to seek funding for ten additional light rail vehicles for the Metro rail system in Buffalo. The vehicles in the current NFTA rail fleet are averaging more than 1,000 riders per car per day. While such usage indicates the success of the Buffalo rail system, it also places tremendous maintenance and capacity pressures on the existing rail car fleet. Of further concern to the Committee is the fact that the NFTA does not have an adequate number of vehicles to meet existing and forecast travel demand and to maintain the transit industry standard reserve fleet. The Committee, therefore, encourages UMTA to give priority consideration to the use of reprogrammed or unallocated funds to assist the NFTA in acquiring ten additional light rail vehicles.

STATUS OF NEW SYSTEM PROJECTS

The following table indicates the estimated future section 3 costs of the new system projects recommended for fiscal year 1991:

NEW SYSTEM PROJECTS

[In millions of dollars]

City and project	Total cost [2]	Section 3 share	Prior earmarks [3]	Fiscal year 1991 earmarks	Potential remaining section 3 cost
Under Construction/Final Design:					
Denver—North I–25 Bus/HOV	$200	$70	$52	$18	$0
Jacksonville—People Mover Ext.	133	100	26	22	52
Los Angeles—MOS–2	1,446	667	330	150	187
Miami—Metromover Legs	248	186	163	15	8
St. Louis—Airport LRT	384	288	219	66	3
Preliminary Engineering:					
San Francisco—Colma [1]	101	71	26	[4] 35	10
Alternatives Analysis:					
Atlanta—North Extension [1]	528	396	52	35	309
Baltimore—Central LRT Exts. [1]	82	61	12	4	45
Cleveland—Dual Hub [1]	570	265	2	5	258
Chicago—Central Conn. [1]	350	117	1	15	101
Dallas—South Oak Cliff [1]	250	110	0	20	90
Honolulu—Central [1]	1,300	400	0	10	390
Houston [1]	1,000	540	115	30	395
Salt Lake City—South I–15 LRT [1]	200	100	11	5	84
San Diego—Mid Coast [1]	500	375	0	([5])	375
San Francisco—Tasman LRT [1]	350	175	2	[4] 10	163
Total	7,642	3,921	1,011	440	2,470

[1] Final cost estimates and section 3 share are preliminary since projects have not completed preliminary engineering and/or alternatives analysis.
[2] Escalated dollars to midpoint of construction.
[3] Adjusted to reflect .5 percent project management share.
[4] Estimated—actual distribution to be determined by Metropolitan Transportation Commission.
[5] Less than $500,000.

PLANNING AND TECHNICAL STUDIES

The bill includes the sum of $45,000,000 for planning and technical studies. The major activities funded under this heading include short range transportation system management and transportation improvement programs, alternatives analysis studies, and energy conservation and contingency planning. Funds are also available for state planning and special studies.

Minnesota.—The Committee has included $2,000,000 to assist Minnesota with the planning of the proposed light rail system in the Twin Cities. These funds are to be used by the Minnesota Regional Transit Board to complete the necessary studies and environmental documents to make the following three corridors eligible for federal design and construction costs: I–35W South to 96th Street, Hiawatha to Federal GSA Building, and Minneapolis-Northeast to Northtown Shopping Center.

Dade County.—The Committee directs that $250,000 be made available to carry out a transit improvement study in northeast Dade County, Florida, to focus on near term improvements resulting from more efficient use of existing resources. This study should include, but need not be limited to, origin-destination surveys, travel time and market potential studies, and route evaluations, and should also include substantial community participation and input.

Sacramento.—The Committee notes that Regional Transit of Sacramento County, California (SRTD) is moving into systems planning for its long-range transit development program. The existing 18-mile light rail line that opened in 1987 is already experiencing peak hour ridership, as well as weekday ridership, which exceeds the original projections. Systems planning will prioritize those rail corridors most likely for expansion.

The starter line was built without section 3 funding. However, expansion of the rail system in this growing region will require section 3 federal funds in addition to local and state dollars. Although Sacramento has not requested discretionary grant funds this year, the Committee anticipates a request from SRTD for federal funding in fiscal year 1992 based on the results of systems planning. The Committee hopes to be able to continue to support SRTD's capital development program in the future.

Philadelphia.—The Committee directs that $200,000 be made available to the Southeastern Pennsylvania Transportation Authority to conduct a feasibility study of a rail line from Morrisville to Downington.

Northwest Indiana.—The Committee has been advised of the efforts of several northwest Indiana municipalities to examine various transportation alternatives in that region. The Committee commends these communities for their efforts and fully supports an alternatives analysis study in western Lake County, Indiana.

ELDERLY AND HANDICAPPED-INNOVATIVE TECHNIQUES

The Committee recommends a level of $35,000,000 for elderly and handicapped and innovative techniques programs. Funding for the elderly and handicapped program is authorized by section 16(b)(2) of the Urban Mass Transportation Act. These funds are expected to

be used primarily to purchase small vehicles that are accessible to the elderly and handicapped. The innovative techniques program is designed to implement the concepts developed under the service and methods demonstration program and the transit management program.

UNIVERSITY TRANSPORTATION CENTERS

The Committee recommends $5,000,000 for the university transportation centers program. Under this program, the Secretary is authorized to make grants to one or more nonprofit institutions of higher learning in each of the ten federal regions.

SECTION 9(B) FORMULA GRANTS

The bill includes $100,000,000 for the section 9(B) formula capital grant program. As previously stated, the Surface Transportation and Uniform Relocation Assistance Act of 1987 establishes a new authorization from the mass transit account of the highway trust fund to be divided equally between the discretionary grant program and the formula grant program. For fiscal year 1991, the Committee has approved $200,000,000, of which $100,000,000 is available for section 9(B) formula grants.

Mass Transit Capital Fund

(Liquidation of Contract Authorization)

(Highway Trust Fund)

Appropriation, fiscal year 1990	($897,300,000)
Budget estimate, fiscal year 1991	(815,000,000)
Recommended in the bill	(815,000,000)
Bill compared with:	
Appropriation, fiscal year 1990	(−82,300,000)
Budget estimate, fiscal year 1991	(.....)

The Committee recommends $815,000,000 to liquidate obligations incurred under basic legislation for mass transit capital grants. This liquidating cash appropriation covers obligations incurred under contract authority provided for activities previously discussed under the discretionary grant program, including section 9(B) formula grants.

Interstate Transfer Grants—Transit

Appropriation, fiscal year 1990	$159,520,000
Budget estimate, fiscal year 1991	.....
Recommended in the bill	160,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+480,000
Budget estimate, fiscal year 1991	+160,000,000

The bill includes $160,000,000 for transit projects that have been substituted for interstate highway segments. This program was established by the Federal-Aid Highway Act of 1973, which permitted state and local officials to withdraw planned interstate highway segments and substitute transit projects. The cut-off date for approval of new interstate withdrawal requests was September 30, 1983. As of September 30, 1990, it is estimated that the balance for

substitute transit projects will total $480,715,075. According to statutory provisions, this balance is allocated to the following areas:

ESTIMATED INTERSTATE SUBSTITUTE TRANSIT COST TO COMPLETE BEGINNING FY 1991

Withdrawal area:	
Boston, MA	$13,982,165
Chicago, IL	30,516,567
Cleveland, OH	14,678,314
New Jersey	2,286,914
Sacramento, CA	250,807
Hartford-New Britain, CT	3,876,275
Rhode Island	11,947,967
Killingly, CT	252,720
New York City, NY	230,628,288
Albany, NY	119,416
Baltimore, MD	137,316,551
Washington, DC	375,271
Memphis, TN	12,488,334
Waterloo, IA	342,053
San Francisco, CA	1,981,764
Portland, OR	19,671,669
Total	480,715,075

The Committee recommendation for fiscal year 1991 is based on the estimated fiscal year 1990 apportionments, allocations and reapportionments indicated above. Of the amount recommended, 50 percent will be distributed by statutory formula and 50 percent will be distributed on a discretionary basis. The Committee expects these funds to be allocated as follows:

INTERSTATE TRANSFER-TRANSIT ALLOCATIONS

	Estimated formula	Discretionary	Total
Boston, MA	$2,315,260		$2,315,260
Chicago, IL	5,053,136	$18,000,000	23,053,136
Cleveland, OH	2,430,533		2,430,533
New Jersey	378,682		378,682
Sacramento, CA	41,530		41,530
Hartford-New Britain, CT	641,859		641,859
Rhode Island	1,978,424		1,978,424
Killingly, CT	41,847		41,847
New York City, NY	38,188,967	14,179,567	52,368,534
Albany, NY	19,774		19,774
Baltimore, MD	22,737,788	36,000,000	58,737,788
Washington, D.C	62,140		62,140
Memphis, TN	2,067,901	10,420,433	12,488,334
Waterloo, IA	56,639		56,639
San Francisco, CA	328,154		328,154
Portland, OR	3,257,366	1,000,000	4,257,366
Project Management	400,000	400,000	800,000
Total	80,000,000	80,000,000	160,000,000

The Committee recognizes that delays in some regions' projects could necessitate adjustments to the above allocations. The Committee expects these adjustments, if required, to be accomplished only through the normal reprogramming process. If such adjustments are made, and funds become available, the Committee directs the Department to give priority to projects proposed by the New York MTA.

WASHINGTON METRO

Appropriation, fiscal year 1990	$84,745,000
Budget estimate, fiscal year 1991	38,000,000
Recommended in the bill	108,000,000
Bill compared with:	
Appropriation, fiscal year 1990	+23,255,000
Budget estimate, fiscal year 1991	+70,000,000

The bill includes an appropriation of $108,000,000 under this account for the construction of the Washington, D.C. Metrorail system. Of the amount recommended, $64,100,000 is authorized by Public Law 96–184. The authorization for the remaining funds is contained in H.R. 1463, which was passed by the House of Representatives on March 28, 1990.

The Committee recommendation is distributed as follows:

	Budget estimate	WMATA request	Recommended in the bill
Authorized:			
Project management	$28,000,000	$28,000,000	$28,000,000
Start-up	6,400,000	17,700,000	17,700,000
Other construction	[1] 3,600,000	7,600,000	[1] 7,600,000
Claims		10,800,000	10,800,000
Contingent on authorization:			
Design		10,900,000	10,900,000
Real estate		14,600,000	14,600,000
Construction		72,800,000	
Rolling stock		37,600,000	21,327,000
Adjustment to 75/25 match			−2,927,000
Total	38,000,000	200,000,000	108,000,000

[1] Includes project management oversight

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Corporation's operations program consists of lock and marine operations, maintenance, dredging, planning and development activities related to the operation and maintenance of that part of the Saint Lawrence Seaway between Montreal and Lake Erie within the territorial limits of the United States.

The Committee maintains a strong interest in maximizing the commercial use and competitive position of the Saint Lawrence Seaway. The general language under this heading is the same as the language provided last year and requested in the fiscal year 1991 budget. Continuation of this language in addition to that under the "Operations and maintenance" heading will provide the Corporation the flexibility and access to available resources needed to finance costs associated with unanticipated events which could threaten the safe and uninterrupted use of the Seaway. The language permits the Corporation to use sources of funding not designated for the harbor maintenance trust fund by Public Law 99–662, but which have been historically set aside for non-routine or emergency use—cash reserves derived primarily from prior-year revenues received in excess of costs; unused borrowing authority; and miscellaneous income.

Operations and Maintenance

(Harbor Maintenance Trust Fund)

Appropriation, fiscal year 1990	$11,375,000
Budget estimate, fiscal year 1991	10,749,000
Recommended in the bill	10,500,000
Bill compared with:	
Appropriation, fiscal year 1990	−875,000
Budget estimate, fiscal year 1991	−249,000

Effective April 1, 1987, the Water Resources Development Act of 1986 provides for the deposit of toll revenues in the harbor maintenance trust fund and requires a subsequent appropriation from the fund to finance the operations and maintenance of the portion of the Seaway for which the Corporation is responsible. The bill includes $10,500,000 for the operations and maintenance activities of the Corporation. These funds provide for the normal operations and maintenance of all facilities, as well as continuing improvements in lock operations and navigation systems, and replacing equipment, machinery and tools.

Under the Committee recommendation, rental payments to the General Services Administration would be deleted and funds requested for capital projects would be reduced by $86,000 due to anticipated contract slippages. The Committee has approved the requested staffing level of 181 full-time permanent positions.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

Summary of Fiscal Year 1991 Program

The Research and Special Programs Administration serves as a research, analytical, and technical development branch of the Department for multimodal research and development and special programs. Particular emphasis is given to pipeline safety and transportation of hazardous cargo by all modes of transportation.

The Committee recommends $26,667,000 to continue the operations, research and development, and grants-in-aid administered by the Research and Special Programs Administration. This is $856,000 (3 percent) less than the budget request and $650,000 (2 percent) less than the fiscal year 1990 enacted level. When combined with funds elsewhere in the bill for GSA rental payments, total program funding of $28,314,000 is provided for RSPA, a $917,000 (4 percent) increase over the fiscal year 1990 level. This funding is sufficient to support the requested levels of 171 positions funded from the general fund and 60 positions funded from the pipeline safety fund. This represents increases of 8 and 9 positions, respectively.

Research and Special Programs

Appropriation, fiscal year 1990	$17,158,000
Budget estimate, fiscal year 1991	16,723,000
Recommended in the bill	16,300,000
Bill compared with:	
Appropriation, fiscal year 1990	−858,000
Budget estimate, fiscal year 1991	−423,000

The bill includes $16,300,000 for the Research and special programs account. These funds are to be distributed as follows:

[In thousands of dollars]

	Fiscal year 1990 actual	Fiscal year 1991 estimate	Recommended in the bill
Operations:			
Administrator	337	460	460
Chief counsel	521	664	664
Program management/administration	1,115	1,400	1,400
Aviation information management	2,610	2,442	2,442
Emergency transportation	900	999	999
Hazardous materials	9,370	8,593	9,344
Research and technology	680	610	500
Account-wide adjustments			−1,064
Subtotal	15,533	15,168	14,745
Research and development:			
Emergency transportation	220	130	130
Hazardous materials	1,115	1,125	1,125
Research and technology	290	300	300
Subtotal	1,625	1,555	1,555
Total appropriation	17,158	16,723	16,300

HAZARDOUS MATERIALS ENFORCEMENT FIELD OFFICES

The Committee has long believed that the limited hazardous materials (HAZMAT) inspection staff (22 positions) could be more productive if the inspectors were permanently stationed in the field. After almost two years of study, the Congressionally-directed report on the feasibility of HAZMAT field offices was submitted in May 1990. This report verified the Committee's position. It concluded that field offices would: raise inspector productivity from 53.5 inspection-days per year to 95.5 days; yield greater levels of industry compliance due to the higher likelihood of follow-up visits; reduce the average cost per inspection day by almost one-third; and foster a closer working relationship with state and local hazardous materials officials. RSPA's budget includes over $200,000 per year for HAZMAT inspector travel—an average of almost $10,000 per inspector. Much of this cost could be avoided with the creation of field offices. The Committee has therefore added $750,000 to the bill for start-up costs for three HAZMAT field enforcement offices (West, Midwest, and East), which are expected to begin operations no later than June 1, 1991.

REPORTS PUBLICATION AND DISSEMINATION

The Committee recommends a reduction of $30,000 in publication costs for two reports entitled "National Transportation Statistics" and "Transportation Safety". These reports are costly to produce ($41 and $78, respectively per copy), and yet only half are distributed to federal users. The remainder are distributed to universities, private companies, and state governments. The Committee sees no

reason why non-federal users should escape paying a higher proportion of the true publication cost.

The RSPA also operates a document dissemination center which distributes 60,000 documents a year free of charge to states, local governments, and universities. The Committee believes that, as stated above, these entities should help subsidize the operations of this program since they are the primary beneficiaries. The Committee has reduced the budget request by $79,000 assuming a greater level of reimbursements from the user community.

OTHER CHANGES

The Committee has added $150,000 to the budget request to cover a personnel compensation and benefits shortfall described by RSPA, and has reduced the budget request by $1,214,000 to consolidate rental payments into a single appropriations account.

Pipeline Safety

(Pipeline Safety Fund)

Appropriation, fiscal year 1990	$10,159,000
Budget estimate, fiscal year 1991	10,800,000
Recommended in the bill	10,367,000
Bill compared with:	
Appropriation, fiscal year 1990	+208,000
Budget estimate, fiscal year 1991	−433,000

The Committee has provided a total of $10,367,000 derived from the pipeline safety fund to continue pipeline safety operations, research and development, and state grants-in-aid. The only change to the budget request is a reduction of $433,000 to consolidate rental payments into a single appropriations account. These funds are to be distributed as follows:

[Dollar amounts in thousands]

	Fiscal year 1990 actual	Fiscal year 1991 estimate	Recommended in the bill
Personnel compensation and benefits costs	$2,325	$2,778	$2,778
(Positions)	(51)	(60)	(60)
Administrative costs	1,048	1,143	1,143
Program funds	1,743	1,154	1,154
Research and development	714	725	725
State grants	4,329	5,000	5,000
Account-wide adjustments			−433
Total	10,159	10,800	10,367

OFFSHORE PIPELINE SAFETY

The Committee is concerned that RSPA's program for regulating offshore pipelines may be inadequate to provide an effective level of safety. RSPA is planning to devote an increasing amount of work-years in this area, from ½ in 1989 to 3 in 1991. However, this level of effort is still very small. The Committee intends to monitor RSPA's offshore pipeline safety activity very carefully during the coming year to determine if additional resources are required.

CIVIL PENALTIES

Several years ago, the Secretary of Transportation's pipeline safety task force recommended that RSPA be more aggressive in its pursuit of civil penalties for pipeline safety violations. Although RSPA believes it has become more aggressive, the facts argue to the contrary. The average amount collected for pipeline safety violations in 1989 was only $3,410, which is the lowest figure since 1984. In addition, RSPA was settling for only 20 percent of the amount preliminarily assessed. One-third of those charged received no penalty at all. Such a lax penalty regime surely has an ineffective deterrent value. The Committee expects RSPA to demonstrate by the time of the agency's fiscal year 1992 budget hearing that it is truly taking more aggressive action in this area.

TRANSPORTATION SYSTEMS CENTER

The bill modifies the existing general provision prohibiting the use of funds for planning or implementing any change in the current federal status of the Transportation Systems Center. The recommended provision would allow planning for further development and other compatible uses of the center's real property as long as the planning does not alter the federal status of the center's R&D operation. This is a modified version of language proposed in the budget request.

OFFICE OF THE INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 1990	$31,678,000
Budget estimate, fiscal year 1991	33,987,000
Recommended in the bill	30,970,000
Bill compared with:	
Appropriation, fiscal year 1990	−708,000
Budget estimate, fiscal year 1991	−3,017,000

The Inspector General's office was established in 1978 to provide an objective and independent organization that would be more effective in: (1) preventing and detecting fraud, waste, and abuse in departmental programs and operations; and (2) providing a means of keeping the Secretary of Transportation and the Congress fully and currently informed of problems and deficiencies in the administration of such programs and operations.

The Committee recommends $30,970,000 for the Office of the Inspector General in fiscal year 1991. This is $3,017,000 less than the budget request. When combined with funds elsewhere in the bill for GSA rental payments, total program funding of $33,082,000 is provided for this office, a $1,404,000 (4 percent) increase over the fiscal year 1990 level. The Committee believes this amount will support the requested 470 positions and 462 full-time equivalent staff years, which is the same level as in fiscal year 1990.

FUNDING DISTRIBUTION

The following table compares fiscal year 1990 actual, fiscal year 1991 budget estimate, and the Committee recommendation by office or activity:

[Dollar amounts in thousands]

	Fiscal year 1990 actual	Fiscal year 1991 estimate	Recommended in the bill
Office of the Inspector General	$142	$163	$163
Policy/planning	5,469	5,751	5,751
Audits (headquarters)	10,380	11,590	11,590
Audits (field)	11,145	11,483	10,624
Investigation (headquarters)	1,122	1,167	1,167
Investigation (field)	3,300	3,412	3,662
AICIS ADP system	120	421	275
Account-wide adjustments			−2,262
Total	31,678	33,987	30,970

BUDGET CHANGES

The Committee recommends the following changes to the President's budget request for this appropriation:

	Change
Hold DCAA costs at fiscal year 1990 level	−$859,000
Administratively uncontrollable overtime	+250,000
Reduce increase for AICIS computer system	−146,000
Hold funding for supplies at fiscal year 1990 level	−125,000
Hold funding for consultants at fiscal year 1990 level	−19,000
Reduce printing to 80 percent of fiscal year 1990 level	−6,000
Rental payment consolidation	−2,112,000

DEFENSE CONTRACT AUDIT AGENCY COSTS

The Committee is concerned over the rapidly increasing costs of Defense Contract Audit Agency (DCAA) support. Office of Inspector General DCAA audit reimbursements have risen from $1,564,000 in fiscal year 1989 to an estimated $3,299,000 in fiscal year 1991—more than doubling in only two years. DCAA billing rates have increased from $37 per hour to $47 per hour over the same time period. It is noted that the Office of the Inspector General has appealed these cost increases both to the Office of Management and Budget and to DCAA. The Committee sees no compelling reason for such large continued increases, and believes that it is time to investigate lower-cost alternatives. Therefore, the Office of the Inspector General is directed to submit a study by January 15, 1991, which presents alternatives and related costs to the continued use of DCAA for contract audit support. The reduction of $859,000 would continue funding for DCAA audits at the fiscal year 1990 level.

REPORT COMPLETION TIME

The Committee notes with concern the increasing average time for completion of program audits. Average audit time increased from 10.2 months in fiscal year 1988 to 11.6 months in fiscal year 1989. The Committee believes that program audits should be completed as expeditiously as possible with a minimum of overhead and processing time. The Inspector General is expected to reduce the average report time to the maximum extent feasible, and to keep report processing time at an absolute minimum.

AUDIT REPORTS

The Committee requests the Inspector General to continue forwarding copies of all audit reports to the Committee immediately after they are issued, and to continue to make the Committee aware immediately of any procurement review that recommends cancellation or major modifications to any proposed project.

PROCUREMENT REVIEWS

Given the continuing problems in the procurement area within the Department of Transportation, and the Office of the Inspector General's strong contribution toward detecting and working to resolve these problems over the past year, the Committee reiterates its position that the Inspector General should continue to make procurement reviews a priority.

TITLE II—RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 1990	$1,936,000
Budget estimate, fiscal year 1991	2,100,000
Recommended in the bill	2,700,000
Bill compared with:	
Appropriation, fiscal year 1990	+764,000
Budget estimate, fiscal year 1991	+600,000

The Committee recommends $2,700,000 for the operations of the Architectural and Transportation Barriers Compliance Board. The activities of the Board include: ensuring compliance with the standards prescribed by the Architectural Barriers Act; ensuring that public conveyances, including rolling stock, are readily accessible to and usable by physically handicapped persons; investigating and examining alternative approaches to the elimination of architectural, transportation, communication and attitudinal barriers; determining what measures are being taken to eliminate these barriers; developing minimum guidelines and requirements for accessibility standards; and providing technical assistance to all programs affected by Title V of the Rehabilitation Act.

The Committee recommendation, which is an increase of $600,000 over the budget request and $764,000 more than provided in fiscal year 1990, allows for additional staff and contractual support to implement the Board's responsibilities under the Americans with Disabilities Act.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 1990	$27,232,000
Budget estimate, fiscal year 1991	30,940,000
Recommended in the bill	30,940,000
Bill compared with:	
Appropriation, fiscal year 1990	+3,708,000
Budget estimate, fiscal year 1991	.....

The bill includes an appropriation of $30,940,000 for the National Transportation Safety Board. The amount recommended is the same as the budget request, and $3,708,000 more than the fiscal year 1990 appropriation. Under the Independent Safety Board Act, NTSB is responsible for improving transportation safety by investigating accidents, conducting special studies, developing recommendations to prevent accidents, evaluating the effectiveness of the transportation safety programs of other agencies, and reviewing on appeal actions against certificates or licenses issued by the Department of Transportation.

The amount recommended provides for a full-time equivalent employment (FTE) level of 348, an increase of 22 FTEs over the fiscal year 1990 level. The Committee allowance is distributed as follows:

	FTE's	Budget authority
Policy and direction	36	$3,610,000
Accident investigation	161	13,990,000
Technology	86	7,930,000
Safety programs	23	2,270,000
Administration	30	1,770,000
Administrative law judges	12	1,370,000

INTERSTATE COMMERCE COMMISSION

Salaries and Expenses

Appropriation, fiscal year 1990	$44,205,000
Budget estimate, fiscal year 1991	43,777,000
Recommended in the bill	45,369,000
Bill compared with:	
Appropriation, fiscal year 1990	+1,164,000
Budget estimate, fiscal year 1991	+1,592,000

The Interstate Commerce Commission is an independent federal agency responsible for regulating interstate surface transportation within the United States. In carrying out its regulatory responsibilities, the Commission attempts to ensure that competitive, efficient, and safe transportation services are provided to meet the needs of shippers, receivers, and consumers.

The ICC today maintains jurisdiction over approximately 35,000 for-hire companies providing surface transportation in the United States. These companies include railroads, trucking firms, bus lines, water carriers, one coal slurry pipeline, freight forwarders, and transportation brokers.

The Interstate Commerce Commissioners are appointed by the President and confirmed by the Senate. The ICC was formerly authorized to have 11 commissioners, each with a 7-year term of office. However, in August 1982, legislation was enacted reducing the ICC's strength from 11 to 7 commissioners as of January 1, 1983, and further reducing that number to 5 commissioners as of January 1, 1986. Those persons appointed to be commissioners on or after January 1, 1984, are authorized to serve only 5-year terms.

The Committee recommends a total appropriation of $45,369,000 and 667 staff years for the Interstate Commerce Commission in

fiscal year 1991. This is $1,592,000 above the budget request and $1,164,000 (2.6 percent) above the fiscal year 1990 level.

FUNDING AND STAFFING DISTRIBUTION

A table showing the fiscal year 1990 actual, fiscal year 1991 estimate, and fiscal year 1991 recommended funding and office staffing levels follows:

[Dollar amounts in thousands]

	Fiscal year 1990 actual		Fiscal year 1991 estimate		Fiscal year 1991 recommended	
	Amounts	FTE staff years	Amounts	FTE staff years	Amounts	FTE staff years
Commissioners	$3,676	46	$3,741	44	$3,630	42
Secretary	3,385	81	3,435	76	3,435	76
General counsel	1,857	24	1,853	23	1,934	24
Proceedings	7,592	111	7,289	102	7,575	106
Hearings	409	5	428	5	599	7
Public assistance	1,102	14	1,069	13	1,151	14
Transportation analysis	2,303	27	2,274	24	2,324	24
Accounts	4,431	58	4,376	55	4,376	55
Traffic	3,017	58	2,976	54	3,086	56
Compliance/consumer	11,992	193	11,990	181	12,785	193
Managing director	4,441	72	4,346	68	4,474	70
Total	44,205	689	43,777	645	45,369	667

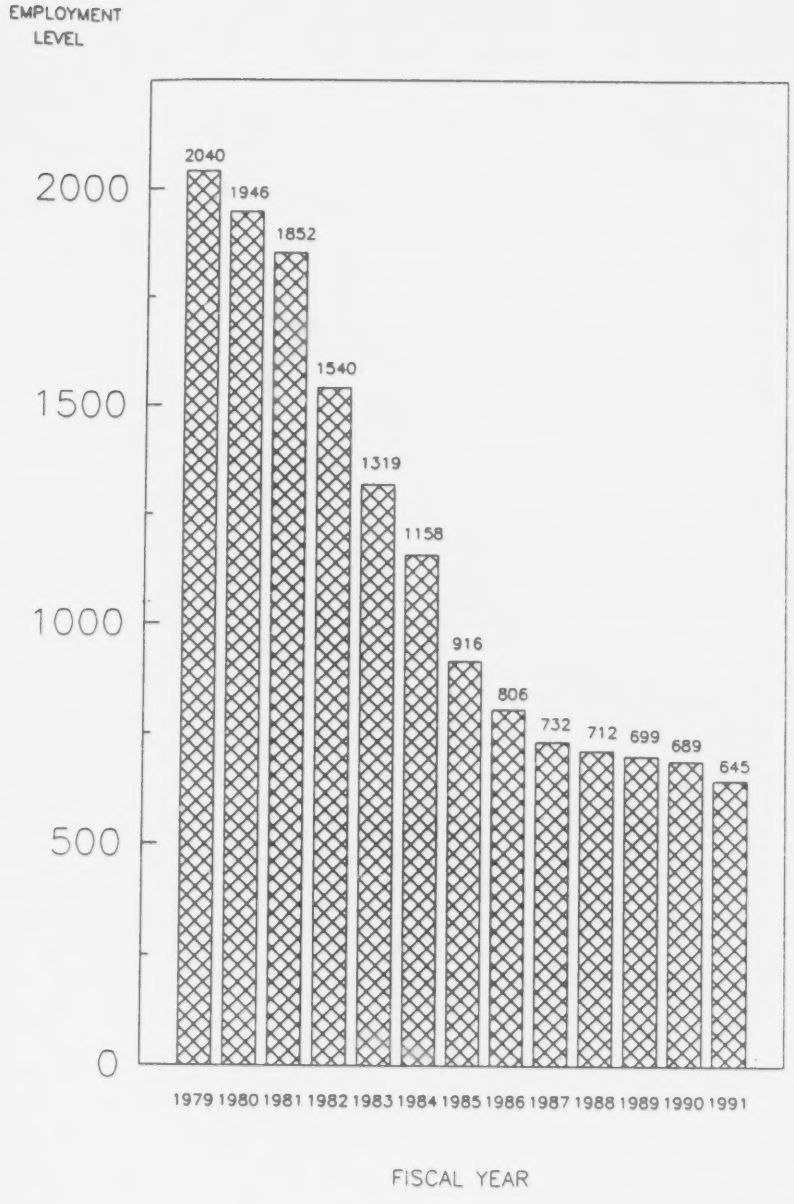
The Committee expects the Commission to use normal reprogramming procedures should it propose to deviate in any way from the staff year allocations or by more than 4 percent from the funding allocations listed above.

STAFFING LEVELS

The Committee believes that the proposed staffing level of 645 full-time equivalent positions is inadequate to carry out the ICC's existing responsibilities. As the following chart demonstrates, the ICC's staffing levels have decreased dramatically over the past several years. Although the ICC requested 701 FTEs in its budget request to the Office of Management and Budget, the President's budget reduced that level to 645, which is 44 lower than in fiscal year 1990.

INTERSTATE COMMERCE COMMISSION

AVERAGE EMPLOYMENT: 1979 - 1991



The Committee believes that the new Chairman of the ICC, who took office in January 1990 after the President's budget was submitted, should have some time to evaluate the agency's true staffing needs before additional reductions are imposed. This is especially true in light of the fact that the new Chairman intends to include some new activities which may require additional resources over previous levels. The Committee recommends staffing for fiscal year 1991 at the current onboard level of 667.

The Committee was particularly concerned to find that the proposed reductions would reduce compliance investigations and surveys. The ICC Chairman testified that such reductions would be expected to have a negative effect on industry compliance. Therefore, 12 of the 22 additional positions are to be allocated to the Office of Compliance and Consumer Affairs. The remaining positions are distributed generally in accord with workload shortfalls described by the ICC.

Payments for Directed Rail Service

(Limitation on Obligations)

Limitation, fiscal year 1990	($475,000)
Budget estimate, fiscal year 1991	(475,000)
Recommended in the bill	(475,000)
Bill compared with:	
Limitation, fiscal year 1990	(.....)
Budget estimate, fiscal year 1991	(.....)

If a railroad ceases operations due to the lack of cash or a court order, the ICC is authorized under 49 U.S.C. 11125 to direct other railroads to continue the service of the railroad that ceased its operations. The directed carriers are reimbursed for the losses incurred and paid six percent of gross revenues on the service performed. This authority is limited to an initial 60-day period; the Commission may extend this period for up to an additional 180 days.

The bill includes an obligation limitation of $475,000 for fiscal year 1991, as proposed in the budget. The ICC has indicated that no directed rail costs are anticipated.

PANAMA CANAL COMMISSION

The Commission was established by the Panama Canal Act of 1979 to carry out the responsibilities of the United States with respect to the Panama Canal under the Panama Canal Treaty of 1977. The authority of the President of the United States with respect to the Commission is exercised through the Secretary of Defense and the Secretary of the Army. The Commission is supervised by a nine-member Board. Five members are nationals of the United States and four are Panamanians. Board members who are U.S. nationals are appointed by the President with the advice and consent of the Senate. The Commission will remain in existence until the treaty terminates on December 31, 1999, when the Republic of Panama will assume full responsibility for the Canal.

The Commission is the successor agency to the Panama Canal Company and Canal Zone Government and has as its primary function the operation and maintenance of the interoceanic Panama

Canal. The operation of the waterway is conducted on a commercial basis with revenues derived from tolls collected from vessels and other essential supporting services. These revenues are deposited into the Panama Canal revolving fund.

Public Law 100–203, approved December 22, 1987, amended the Panama Canal Act of 1979 to convert the Panama Canal Commission from an appropriated-fund agency to a revolving-fund agency beginning on January 1, 1988. This legislation provided for the termination of the Panama Canal Commission special fund and established the Panama Canal revolving fund. The legislation prescribed that on the effective date of the Panama Canal Revolving Fund Act: (1) the unappropriated balance of the Panama Canal Commission fund, including undeposited receipts as of the close of business on the day before the effective date of the Act, shall be transferred to the Panama Canal revolving fund; and (2) the unexpended balance of appropriations, including the $10,000,000 unobligated Emergency Fund appropriation, shall be transferred to the Panama Canal revolving fund. Such amounts, including amounts appropriated for capital expenditures, shall remain available until expended. In addition, Public Law 100–203 establishes borrowing authority for the Commission, the amount of which cannot exceed $100,000,000 at any time.

Panama Canal Revolving Fund

Administrative Expenses

Limitation, fiscal year 1990	($49,692,000)
Budget estimate, fiscal year 1991	(48,941,000)
Recommended in the bill	(48,928,000)
Bill compared with:	
Limitation, fiscal year 1990	(−764,000)
Budget estimate, fiscal year 1991	(−13,000)

The Committee recommends $48,928,000 for the administrative expenses of the Panama Canal Commission. This is $13,000 less than the budget request. The activities funded under administrative expenses include: executive direction. operations, direction, financial management, personnel administration, and those employment costs of the Commission that are general in nature and not identifiable with other specified activities.

Reception and representation expenses, as provided in the bill, would be continued at the fiscal year 1990 levels of $10,000 for the Board, $4,000 for the Secretary, and $25,000 for the Administrator. The budget requests were $12,000 for the Board, $6,000 for the Secretary, and $34,000 for the Administrator.

Limitation on Operating and Capital Expenses

Limitation, fiscal year 1990	($450,649,000)
Budget estimate, fiscal year 1991	(.....)
Recommended in the bill	(448,497,000)
Bill compared with:	
Limitation, fiscal year 1990	−2,152,000)
Budget estimate, fiscal year 1991	(+448,497,000)

The bill also includes language limiting obligations for non-administrative operating expenses and capital projects to

$448,497,000. This is $2,152,000 less than the fiscal year 1990 limitation. The budget proposed deleting this limitation.

The amount recommended includes $74,500,000 for estimated annuity payments to Panama pursuant to paragraphs 4(a) and 4(b) of Article XIII of the treaty and $10,000,000 for public services to be provided by Panama under paragraph 5 of Article XIII. No funds have been included for payments to Panama under Article XIII, paragraph 4(c). These amounts are to be paid only to the extent that Canal operating revenues exceed expenditures of the Commission. Since the Committee does not anticipate that revenues will, in fact, exceed expenditures, no funds are recommended for this purpose.

The amount recommended also includes $30,000,000 for capital projects and equipment acquisitions.

DEPARTMENT OF THE TREASURY

Rebate of Saint Lawrence Seaway Tolls

(Harbor Maintenance Trust Fund)

Appropriation, fiscal year 1990	$10,020,000
Budget estimate, fiscal year 1991	10,789,000
Recommended in the bill	10,500,000
Bill compared with:	
Appropriation, fiscal year 1990	+480,000
Budget estimate, fiscal year 1991	−289,000

The Committee recommends $10,500,000 for the rebate portion of tolls paid by commercial vessels using the Saint Lawrence Seaway. The amount recommended includes $200,000 for the administrative expenses of the program. This appropriation is authorized by the Water Resources Development Act of 1986 (Public Law 99–662).

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

Interest Payments

Appropriation, fiscal year 1990	$51,663,569
Budget estimate, fiscal year 1991	51,663,569
Recommended in the bill	51,663,569
Bill compared with:	
Appropriation, fiscal year 1990	.....
Budget estimate, fiscal year 1991	.....

The Committee has approved the full budget request of $51,663,569 to provide federal support for the interest payments on the bonded indebtedness of the Washington Metropolitan Area Transit Authority. The bond repayment agreement between the Department of Transportation and the Authority establishes an overall two-thirds federal and one-third local sharing arrangement. However, for the interest payments due on July 1, 1979, through July 1, 1982, the Federal Government was authorized to fund up to 85 percent of the cost. To the extent the Authority used these additional federal funds (up to 85 percent), repayment is required no later than January 1993.

TITLE III—GENERAL PROVISIONS

The Committee concurs with the general provisions that apply to the Department of Transportation and related agencies as proposed in the budget with the following changes:

The proposed new provision to reduce the federal share of certain highway projects to 80 percent has not been included.

The proposed new provision to repeal section 205 of the Coast Guard Authorization Act of 1989 has not been included.

The Committee has not approved the requested deletion of the following sections, all of which were contained in the fiscal year 1990 Department of Transportation and Related Agencies Appropriations Act:

Section 311 prohibits the use of funds for salaries and expenses of more than 120 political or Presidential appointees in the Department of Transportation.

Section 312 limits funds for Department of Transportation advisory committees to $350,000.

Section 316 requires publication of sections 3 and 9 UMTA grants in the Federal Register every 30 days.

Section 317 relates to grants, contracts, or financial assistance agreements with educational institutions.

Section 318 relates to funds for operating expenses of the Tri-County Commuter Rail project in the State of Florida.

Section 320 relates to letters of intent for grants-in-aid for airport projects.

Section 322 requires the absorption of fiscal year 1991 pay raise costs.

Section 323 prohibits funds for establishing a vessel traffic safety fairway less than five miles wide between the Santa Barbara traffic separation scheme and the San Francisco traffic separation scheme.

Section 324 permits the transfer of certain instrument landing systems to the FAA. Language has been continued with a technical modification.

Section 325 relates to the availability of funds for "Intermodal urban demonstration project".

The Committee has included the following general provisions as requested with modifications:

Section 308 is included as requested in the budget with technical modifications.

Section 310 would be continued as enacted in fiscal year 1990, except the Kennedy Expressway project in Illinois would be exempt from the limitation on first quarter obligations. The proposed subsections that would: (1) eliminate bonus obligations, and (2) combine highway and transit interstate substitution programs have not been included.

Section 321, limiting transfer authority within the Office of the Secretary of Transportation, would be continued as enacted in fiscal year 1990. The budget proposed several modifications to this provision.

In addition, the following new general provisions are recommended by the Committee:

Section 327 amends the Surface Transportation Assistance Act of 1982 regarding maxi-cube vehicles.

Section 328 requires the Secretary to issue a letter of intent and full funding contract for the Portland light rail project.

Section 329 requires the Secretary to reduce by 25 percent state obligations for Federal-aid highways and highway safety construction programs if that state has a public authority providing mass transportation for an urbanized area within such state with a population of 3,000,000 or more and does not have a dedicated tax-based source of funding for mass transit.

Section 330 prohibits the use of funds for a new national weather graphics system.

Section 331 prohibits enforcement proceedings to reduce or reserve any portion of a state's federal-aid highway construction apportionment because of non-compliance with the 55 miles per hour speed limit during fiscal year 1989.

Section 332 restricts the Department from entering into multiyear contracts without specific Congressional approval.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives:

Inflationary Impact Statement

Clause 2(l)(4) of Rule XI of the House of Representatives requires that each Committee report on a bill or resolution shall contain a statement as to whether enactment of such bill or resolution may have an inflationary impact on prices and costs in the operation of the national economy.

The accompanying bill contains appropriations and limitations on obligations for new spending authority of $30,785,689,569. Of the amount recommended, about 24 percent is for personnel and operating costs of the various transportation bureaus and agencies. This amount will fund about a two-percent increase in the total number of military and civilian positions over the fiscal year 1990 level. The Committee does not believe that the level or the increase in these personnel costs will have a measurable impact on the aggregate rate of inflation. Approximately six percent of the amounts recommended in the bill will finance transportation planning and operating costs for states, cities, and certain private organizations, and one percent will finance various transportation research and development activities.

The remaining 69 percent will finance transportation construction and development projects in various parts of the nation. The Committee believes these activities will improve our nation's transportation system. Improved and lower cost transportation can reduce the prices of goods by lowering the costs of production and by improving labor productivity through specialization. The Committee also believes that improved and lower cost transportation provides more producers with the opportunity to sell their products in more markets, thereby enhancing competition and providing consumers with broader choices and lower prices. Consequently, the level of financing provided for transportation construction ac-

tivities would have an inflationary impact only to the extent that the benefits resulting from lower cost transportation were offset by higher prices resulting from insufficient capacity in the construction industry to meet all of the demands for construction by the public and private sectors.

TRANSFERS OF FUNDS

Pursuant to clause 1(b) of Rule X of the House of Representatives, the following statement is submitted describing the transfers of funds provided in the accompanying bill.

The Committee recommends the following transfers between accounts:

Under Title I, Department of Transportation, Federal Highway Administration, Bridge Improvement Demonstration Project:

. . . $2,000,000 shall be available for 80 percent of expenses necessary to carry out construction of new roadways on Blount Island, Florida, without regard to whether or not such expenses are incurred in accordance with section 1.9 of title 23 of the Code of Federal Regulations.

Under Title III, General Provisions:

SEC. 321. The Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: Provided, That no appropriation shall be increased or decreased by more than five per centum by all such transfers.

"RAMSEYER" RULE

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to the omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

The accompanying bill would amend 49 U.S.C. App. 2311(d) as follows:

(d) ESTABLISHMENT OF RULES AND MAKING OF DETERMINATIONS BY SECRETARY.—The Secretary is authorized to establish rules to implement the provisions of this section, and to make such determinations as are necessary to accommodate specialized equipment (including, but not limited to, automobile and boat transporters *and maxi-cube vehicles*) subject to subsections (a) and (b) of this section.

CHANGES IN EXISTING LAW

Pursuant to clause 3 of Rule XXI of the House of Representatives, the following statements are submitted describing the effect of provisions in the accompanying bill which might be construed, under some circumstances, as directly or indirectly changing the application of existing law.

The bill contains appropriations for a number of items for which authorizations for fiscal year 1991 have not yet been enacted. The items in this category involve some or all of the programs of the Coast Guard, Federal Aviation Administration, Federal Highway

Administration, National Highway Traffic Safety Administration, Federal Railroad Administration, Urban Mass Transportation Administration, Research and Special Programs Administration, National Transportation Safety Board, and Panama Canal Commission.

The bill provides that appropriations shall remain available for more than one year for a number of programs for which the basic authorizing legislation does not explicitly authorize such extended availability.

The bill includes limitations on official entertainment, reception and representation expenses for the Office of the Secretary of Transportation, National Transportation Safety Board, Interstate Commerce Commission, and Panama Canal Commission. Similar provisions have appeared in many previous appropriations Acts.

The bill provides for two transfers of funds which might be construed as changing the application of existing law. Similar provisions have appeared in previous appropriations Acts. These items are discussed under the appropriate heading in the report.

The bill includes a number of limitations on the purchase of automobiles. Similar limitations have appeared in many previous appropriations Acts.

Several limitations on obligations are contained in Title I. These limitations are included under the following headings in the bill: Coast Guard, offshore oil pollution compensation fund; Coast Guard, deepwater port liability fund; Federal Aviation Administration, grants-in-aid for airports; Federal Highway Administration, highway-related safety grants; Federal Highway Administration, federal-aid highways; Federal Highway Administration, motor carrier safety grants; National Highway Traffic Safety Administration, highway traffic safety grants; and Urban Mass Transportation Administration, discretionary grants.

Language has been included in several instances permitting certain funds to be credited to the appropriations recommended.

Language is included under Office of the Secretary making minority business resource center funds available for business opportunities related to any mode of transportation.

The bill includes language that limits operating costs and capital outlays of the Department of Transportation working capital fund.

The bill includes language under payments to air carriers limiting obligations if contract authority is enacted for this program.

The bill includes language under Coast Guard, operating expenses, authorizing appropriations, transfers, and the provision of "in kind" services.

Language is included under Coast Guard, operating expenses, providing not less than $602,600,000 for drug enforcement activities.

The Committee is also recommending language under Coast Guard, operating expenses, that prohibits the use of funds for shipping commissioners and limits funds for yacht documentation to the amount of fees collected from yacht owners.

Language is included under Coast Guard, acquisition, construction and improvements, requiring warranties in contracts for major systems acquisitions of the Coast Guard and limiting funds for personnel compensation and benefits.

The Committee recommends language under Coast Guard, offshore oil pollution compensation fund and deepwater port liability fund, providing borrowing authority if available appropriations are not adequate to meet the obligations of these funds.

The Committee is recommending language under Federal Aviation Administration, operations, that prohibits the use of funds for new applicants for the second career training program and for a pilot test of contractor maintenance.

Language is included earmarking funds for the Mid-American Aviation Resource Consortium.

Language is included under Federal Aviation Administration, facilities and equipment, limiting the federal share of capital projects under grant agreements with universities or colleges.

Language is included reducing the limitation on obligations for airport grants if 75 percent of total appropriations for the Federal Aviation Administration are not derived from the airport and airway trust fund.

Language is included providing borrowing authority of not to exceed $9,970,000 for payment of defaulted aircraft loan guarantees.

The bill includes a limitation on general operating expenses of the Federal Highway Administration.

Language is included under Federal Highway Administration making previously appropriated funds available to construct new roadways on Blount Island, Florida, without regard to section 1.9 of title 23 of the Code of Federal Regulations.

Language is included under Federal Railroad Administration, office of the administrator, authorizing the Secretary to receive payments from the Union Station Redevelopment Corporation, credit them to the appropriation charged with the first deed of trust, and make payments on the first deed of trust.

The bill includes language prohibiting new loans guaranteed under the Emergency Rail Services Act of 1970 and section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, loans guaranteed under 45 U.S.C. 602, and new loans guaranteed for railroad rehabilitation and improvement financing funds.

Language is included under Federal Railroad Administration, local rail service assistance, providing for the distribution of funds.

Language is included under Federal Railroad Administration, railroad research and development, earmarking funds for two grant projects.

Language is included under Federal Railroad Administration, grants to the National Railroad Passenger Corporation, to provide that no funds are required to be expended or reserved for expenditure pursuant to 45 U.S.C. 601(e), to establish certain conditions prior to the obligation of funds for certain improvements on the main line track between Atlantic City, New Jersey and the main line of the Northeast Corridor, and to establish certain conditions on a proposed rail construction project between Spuyten Duyvil, New York and the main line of the Northeast Corridor.

The Committee recommends language authorizing the Secretary to issue fund anticipation notes necessary to pay obligations under sections 511 through 513 of the 4R Act and to expend proceeds from the sale of fund anticipation notes.

The Committee is also recommending language regarding the sale of securities or promissory notes held under the authority of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended.

Language is included under Federal Railroad Administration, Amtrak corridor improvement loans, establishing certain terms and conditions for such loans.

Language is included under Urban Mass Transportation Administration, administrative expenses, prohibiting use of funds for a NPRM on major capital investment projects.

The bill includes limitations on mass transportation operating assistance.

The bill includes language under Interstate Commerce Commission, salaries and expenses, providing that joint board members and cooperating state commissioners may use government transportation requests when traveling in connection with their official duties as such.

The Committee is recommending language limiting to $475,000 obligations for payments for directed raii service under the Interstate Commerce Commission.

The bill includes language limiting obligations for non-administrative expenses and capital projects of the Panama Canal Revolving Fund.

Language is included under Washington Metropolitan Area Transit Authority, interest payments, providing for the disbursement of the funds in accordance with the Initial Bond Repayment Participation Agreements as well as Public Law 96–184.

Sections 301 through 332 of the bill contain a number of general provisions that place limitations on the use of funds in the bill and which might, under some circumstances, be construed as changing the application of existing law.

The bill includes several new provisions to: (1) amend 49 U.S.C. App. 2311(d) regarding maxi-cube vehicles, (2) require issuance of a letter of intent and full funding contract for the Portland light rail project, (3) reduce highway funding to states with major mass transit systems if those states do not have a dedicated source of revenue for mass transit, (4) prohibit the use of funds for a new national weather graphics system, (5) prohibit enforcement proceedings against states that failed to comply with the 55 mph speed limit during fiscal year 1989, and (6) restrict certain multiyear contracts.

Comparison With Budget Resolution

Section 308(a)(1)(A) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93–344), as amended, requires that the report accompanying a bill providing new budget authority contain a statement detailing how the authority compares with the reports submitted under section 302 of the Act for the most recently agreed to concurrent resolution on the budget for the fiscal year. This information follows:

[In millions of dollars]

	Section 302(b)		This bill	
	Discretionary	Mandatory	Discretionary	Mandatory
Budget authority	$12,600	$479	$12,599	$489
Outlays	29,200	477	29,200	477
Direct loans	46	0	46	0
Primary guarantees	0	0	0	0

The bill provides new spending authority as defined under section 401(c)(2) of the Congressional Budget and Impoundment Control Act of 1974 (Public Law 93-344), as amended, as follows: Under Coast Guard, Offshore oil pollution compensation fund and Deepwater port liability fund, borrowing authority is provided if available appropriations are not adequate to meet the obligations of these funds. Under Federal Railroad Administration, Railroad rehabilitation and improvement financing funds, authority is provided to issue notes necessary to pay obligations under sections 511 through 513 of the 4R Act. These provisions have been included at the request of the administration because the government's financial obligations under these programs are difficult to determine in advance and may require immediate expenditures of funds. The Committee has received no indication to date that these authorities will be used in fiscal year 1991. Similar provisions have been included in many previous appropriations Acts.

Five-Year Outlay Projections

In accordance with section 308(a)(1)(C) of the Congressional Budget Act of 1974 (Public Law 93-344), as amended, the following information was provided to the Committee by the Congressional Budget Office:

[In thousands]

Budget authority in bill	$13,088,093
Outlays:	
1991	11,252,096
1992	7,292,485
1993	5,057,792
1994	2,713,820
1995 and beyond	2,994,855

Financial Assistance to State and Local Governments

In accordance with section 308(a)(1)(D) of Public Law 93-344, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to state and local governments:

[In thousands]

Budget authority	$2,342,689
Outlays	3,893,422

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND THE BUDGET ESTIMATES FOR 1991

PERMANENT NEW BUDGET (OBLIGATIONAL) AUTHORITY

[These funds become available automatically under earlier, or "permanent" law without further, or annual action by the Congress. Thus, these amounts are not included in the accompanying bill.]

Agency and item	New budget (obligational) authority, fiscal year 1990	Budget estimates of new (obligational) authority, fiscal year 1991	Fiscal year 1991 estimate compared with, fiscal year 1990
(1)	(2)	(3)	(4)
FEDERAL FUNDS			
DEPARTMENT OF TRANSPORTATION			
Settlements of railroad litigation (authority to borrow)	226,000	—	-226,000
Regional rail reorganization program (authority to borrow)	285,000	—	-285,000
Coast Guard: Pollution fund (indefinite)	55,700,000	5,700,000	-50,000,000
Total, Department of Transportation	56,211,000	5,700,000	-50,511,000
INDEPENDENT AGENCIES			
Panama Canal Commission: Panama canal revolving fund	4,078,000	6,164,000	+2,086,000
Total, permanent new budget (obligational) authority, Federal funds	60,289,000	11,864,000	-48,425,000

TRUST FUNDS			
DEPARTMENT OF TRANSPORTATION			
Federal Highway Administration:			
Federal-aid highways (contract authority)	14,924,390,000	14,101,139,000	-823,251,000
Highway-related safety grants (contract authority)	9,860,000	10,000,000	+140,000
Motor carrier safety grants	59,160,000	60,000,000	+840,000
Miscellaneous trust funds	3,737,000	3,643,000	-94,000
National Highway Traffic Safety Administration:			
Highway traffic safety grants (contract authority)	124,236,000	126,000,000	+1,764,000
Urban Mass Transportation Administration:			
Discretionary grants (contract authority)	1,281,800,000	1,400,000,000	+118,200,000
Federal Aviation Administration: Grants-in-aid for airports (contract authority)	1,651,200,000	1,800,000,000	+148,800,000
Coast Guard: General gift fund (indefinite)	80,000	80,000	—
Total, permanent new budget (obligational) authority, Trust funds	18,054,463,000	17,500,862,000	-553,601,000
Total, permanent new budget (obligational) authority	18,114,752,000	17,512,726,000	-602,026,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	.....	*(60,135,000)*	.....	.....	*(-60,135,000)*
Immediate Office of the Secretary	1,090,000	1,311,000	1,215,000	+125,000	-96,000
Immediate Office of the Deputy Secretary	470,000	487,000	412,000	-58,000	-75,000
Office of the General Counsel	6,120,000	6,500,000	6,420,000	+300,000	-80,000
Office of the Assistant Secretary for Policy and International Affairs	8,250,000	10,061,000	8,810,000	+560,000	-1,251,000
Office of the Assistant Secretary for Budget and Programs	2,325,000	2,400,000	2,390,000	+65,000	-10,000
Office of the Assistant Secretary for Governmental Affairs	2,300,000	2,255,000	2,255,000	-45,000	.....
Office of the Assistant Secretary for Administration	24,700,000	29,488,000	21,745,000	-2,955,000	-7,743,000
Office of the Assistant Secretary for Public Affairs	1,350,000	1,389,000	1,389,000	+39,000	.....
Executive Secretariat	835,000	918,000	918,000	+83,000	.....
Contract Appeals Board	488,000	508,000	508,000	+20,000	.....
Office of Civil Rights	1,315,000	1,353,000	1,353,000	+38,000	.....
Office of Commercial Space Transportation	725,000	.....	725,000	.....	+725,000

Office of Essential Air Service	1,727,000	.....	1,251,000	-476,000	+1,251,000
Office of Small and Disadvantaged Business Utilization	3,500,000	3,465,000	3,465,000	-35,000	.....
Subtotal, Salaries and expenses	55,195,000	60,135,000	52,856,000	-2,339,000	-7,279,000
Transportation planning, research, and development	6,748,000	4,047,000	4,777,000	-1,971,000	+730,000
Office of Commercial Space Transportation					
Operations and research	.....	4,517,000	.....	.....	-4,517,000
Working capital fund	4,441,000	10,446,000	.....	-4,441,000	-10,446,000
(Limitation on working capital fund)	*(137,287,000)*	*(146,809,000)*	*(86,264,000)*	*(-51,023,000)*	*(-60,545,000)*
Payments to air carriers	30,643,000	23,600,000	23,600,000	-7,043,000	.....
Rental payments	.....	.....	107,668,000	+107,668,000	+107,668,000
Total, Office of the Secretary	97,027,000	102,745,000	188,901,000	+91,874,000	+86,156,000
Coast Guard					
Operating expenses	1,917,728,000	2,391,351,000	2,192,000,000	+274,272,000	-199,351,000
Funds included in Department of Defense Appropriations Act, 1990	160,000,000	.....	.....	-160,000,000	.....
Subtotal, Operating expenses	2,077,728,000	2,391,351,000	2,192,000,000	+114,272,000	-199,351,000
Acquisition, construction, and improvements	*(436,686,000)*	*(419,536,000)*	*(391,994,000)*	*(-44,692,000)*	*(-27,542,000)*

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
Vessels	132,302,000	162,200,000	155,750,000	+23,448,000	-6,450,000
Aircraft	196,110,000	110,300,000	101,700,000	-94,410,000	-8,600,000
(By transfer)	*(7,478,000)*	.....	.....	*(-7,478,000)*	.....
Other equipment	15,852,000	24,500,000	20,500,000	+4,648,000	-4,000,000
Shore facilities and aids to navigation	70,887,000	86,000,000	81,385,000	+10,498,000	-4,615,000
Personnel, survey and design	21,535,000	36,536,000	32,659,000	+11,124,000	-3,877,000
Subtotal, Acquisition, construction, and improvements	436,686,000	419,536,000	391,994,000	-44,692,000	-27,542,000
Environmental compliance and restoration	.....	7,000,000	21,500,000	+21,500,000	+14,500,000
Alteration of bridges	2,323,000	6,353,000	3,747,000	+1,424,000	-2,606,000
Retired pay	420,800,000	437,300,000	437,300,000	+16,500,000	.....
Reserve training	71,614,000	78,932,000	74,306,000	+2,692,000	-4,626,000
Research, development, test, and evaluation	20,465,000	23,000,000	24,800,000	+4,335,000	+1,800,000
Offshore oil pollution compensation fund (limitation)	*(59,820,000)*	*(60,000,000)*	*(60,000,000)*	*(+180,000)*	.....
Deepwater port liability fund (limitation)	*(49,850,000)*	*(50,000,000)*	*(50,000,000)*	*(+150,000)*	.....
Boat safety (Aquatic Resources Trust Fund)	29,910,000	30,000,000	35,000,000	+5,090,000	+5,000,000
Total, Coast Guard: New budget (obligational) authority	3,059,526,000	3,393,472,000	3,180,647,000	+121,121,000	-212,825,000

Federal Aviation Administration					
Operations	3,823,605,000	4,087,700,000	4,037,000,000	+213,395,000	-50,700,000
(By transfer)	*(9,970,000)*	*(10,000,000)*	.....	*(-9,970,000)*	*(-10,000,000)*
Facilities and equipment (Airport and Airway Trust Fund)	1,721,171,000	2,500,000,000	2,138,615,000	+417,444,000	-361,385,000
Research, engineering, and development (Airport and Airway Trust Fund)	170,163,000	190,000,000	195,000,000	+24,837,000	+5,000,000
Grants-in-aid for airports (Airport and Airway Trust Fund):					
(Liquidation of contract authorization)	*(1,190,000,000)*	*(1,277,000,000)*	*(1,400,000,000)*	*(+210,000,000)*	*(+123,000,000)*
(Limitation on obligations)	*(1,425,000,000)*	*(1,500,000,000)*	*(1,800,000,000)*	*(+375,000,000)*	*(+300,000,000)*
Rescission of contract authority	-25,000,000	.....	.....	+25,000,000	.....
Aircraft purchase loan guarantee program:					
(Limitation on borrowing authority)	*(9,970,000)*	*(57,000,000)*	*(9,970,000)*	.....	*(-47,030,000)*
Total, Federal Aviation Administration:					
New budget (obligational) authority	5,689,939,000	6,777,700,000	6,370,615,000	+680,676,000	-407,085,000
(Limitations on obligations)	*(1,425,000,000)*	*(1,500,000,000)*	*(1,800,000,000)*	*(+375,000,000)*	*(+300,000,000)*
Total	(7,114,939,000)	(8,277,700,000)	(8,170,615,000)	(+1,055,676,000)	(-107,085,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
Federal Highway Administration					
(Limitation on general operating expenses)	*(233,298,000)*	*(264,470,000)*	*(245,400,000)*	*(+12,102,000)*	*(-19,070,000)*
University transportation centers (Highway Trust Fund)	4,985,000	5,000,000	5,000,000	+15,000	.....
Highway safety research and development (Highway Trust Fund)	6,062,000	.....	5,450,000	-612,000	+5,450,000
Highway-related safety programs (Highway Trust Fund):					
(Liquidation of contract authorization)	*(9,377,000)*	*(10,000,000)*	*(10,000,000)*	*(+623,000)*	.....
(Limitation on obligations)	*(9,377,000)*	*(10,000,000)*	*(10,000,000)*	*(+623,000)*	.....
Railroad-highway crossings demonstration projects	14,845,000	.....	15,000,000	+155,000	+15,000,000
Federal-aid highways (Highway Trust Fund):					
(Limitation on obligations)	*(12,210,000,000)*	*(12,013,000,000)*	*(14,500,000,000)*	*(+2,290,000,000)*	*(+2,487,000,000)*
(Liquidation of contract authorization)	*(13,619,020,000)*	*(13,770,000,000)*	*(14,300,000,000)*	*(+680,980,000)*	*(+530,000,000)*
Disaster assistance (emergency fund)	1,000,000,000	.....	.....	-1,000,000,000	.....
Right-of-way Revolving Fund (Highway Trust Fund):					
(Limitation on direct loans)	*(42,373,000)*	*(47,850,000)*	*(42,500,000)*	*(+127,000)*	*(-5,350,000)*
Motor carrier safety	33,297,000	40,719,000	40,000,000	+6,703,000	-719,000
Motor carrier safety grants (Highway Trust Fund):					
(Liquidation of contract authorization)	*(51,844,000)*	*(63,000,000)*	*(63,000,000)*	*(+11,156,000)*	.....
(Limitation on obligations)	*(60,019,000)*	*(60,000,000)*	*(61,500,000)*	*(+1,481,000)*	*(+1,500,000)*

Baltimore-Washington Parkway (Highway Trust Fund)	11,964,000	.....	9,900,000	-2,064,000	+9,900,000
Intermodal urban demonstration project (Highway Trust Fund)	9,846,000	.....	10,000,000	+154,000	+10,000,000
Highway safety and economic development demonstration projects (Highway Trust Fund)	11,840,000	.....	20,000,000	+8,160,000	+20,000,000
Highway safety improvement demonstration project (Highway Trust Fund)	10,949,000	.....	9,000,000	-1,949,000	+9,000,000
Highway-railroad grade crossing safety demonstration project (Highway Trust Fund)	9,355,000	.....	8,000,000	-1,355,000	+8,000,000
Highway widening demonstration project	1,968,000	.....	2,000,000	+32,000	+2,000,000
Bridge improvement demonstration project	3,988,000	.....	.....	-3,988,000	.....
Highway widening and improvement demonstration project	4,926,000	.....	4,000,000	-926,000	+4,000,000
Intersection safety demonstration project	.....	.....	3,600,000	+3,600,000	+3,600,000
Climbing lane and highway safety demonstration project	2,486,000	.....	12,000,000	+9,514,000	+12,000,000
Indiana industrial corridor safety demonstration project	2,378,000	.....	3,000,000	+622,000	+3,000,000
Highway capacity improvement demonstration project	.....	.....	2,000,000	+2,000,000	+2,000,000
Oklahoma highway widening demonstration project	2,487,000	.....	.....	-2,487,000	.....
Alabama highway bypass demonstration project	8,223,000	.....	10,000,000	+1,777,000	+10,000,000
Kentucky bridge demonstration project	4,933,000	.....	4,000,000	-933,000	+4,000,000
Virginia HOV safety demonstration project	4,629,000	.....	8,500,000	+3,871,000	+8,500,000
Urban highway corridor and bicycle transportation demonstration projects	4,484,000	.....	11,000,000	+6,516,000	+11,000,000

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
Urban airport access safety demonstration project	4,982,000		11,000,000	+6,018,000	+11,000,000
Ebensburg bypass demonstration project	13,699,000			-13,699,000	
Pennsylvania reconstruction demonstration project			20,000,000	+20,000,000	+20,000,000
Pennsylvania toll road demonstration project			6,000,000	+6,000,000	+6,000,000
Highway demonstration projects			23,800,000	+23,800,000	+23,800,000
Highway demonstration projects - preliminary engineering	5,783,000		46,050,000	+40,267,000	+46,050,000
Corridor safety improvement project (Highway Trust Fund)	17,248,000			-17,248,000	
Bridge capacity improvements (Highway Trust Fund)	3,933,000			-3,933,000	
Corridor H improvement project	31,672,000			-31,672,000	
Road extension demonstration	10,958,000			-10,958,000	
Des Moines inner loop demonstration project	2,792,000			-2,792,000	
Corridor G Improvement Project	9,970,000			-9,970,000	
Corning bypass safety demonstration project	19,940,000			-19,940,000	
Spring Mountain demonstration project	2,193,000			-2,193,000	
Manhattan Bridge replacement demonstration project	3,200,000			-3,200,000	
Junction City highway improvement demonstration project	399,000			-399,000	

Total, Federal Highway Administration:					
New budget (obligational) authority	1,280,414,000	45,719,000	289,300,000	-991,114,000	+243,581,000
(Limitations on obligations)	*(12,279,396,000)*	*(12,083,000,000)*	*(14,571,500,000)*	*(+2,292,104,000)*	*(+2,488,500,000)*
Total	(13,559,810,000)	(12,128,719,000)	(14,860,800,000)	(+1,300,990,000)	(+2,732,081,000)
National Highway Traffic Safety Administration					
Operations and research	73,340,000	76,376,000	70,075,500	-3,264,500	-6,300,500
Operations and research (Highway Trust Fund)	31,756,000	40,950,000	38,960,500	+7,204,500	-1,989,500
Subtotal, Operations and research	105,096,000	117,326,000	109,036,000	+3,940,000	-8,290,000
Highway traffic safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	*(136,604,000)*	*(105,000,000)*	*(104,825,000)*	*(-31,779,000)*	*(-175,000)*
State and community highway safety grants:					
(Limitation on obligations)	*(114,655,000)*	*(114,655,000)*	*(114,655,000)*	.....	.....
Alcohol safety incentive grants:					
(Limitation on obligations)	*(15,967,000)*	*(10,967,000)*	*(10,967,000)*	*(-5,000,000)*	.....
Education grants (Sec. 209):					
(Cumulative limitation on obligations)	*(4,736,000)*	*(4,750,000)*	*(4,750,000)*	*(+14,000)*	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
Total, National Highway Traffic Safety Administration:					
New budget (obligational) authority	105,096,000	117,326,000	109,036,000	+3,940,000	-8,290,000
(Limitations on obligations)	*(130,622,000)*	*(125,622,000)*	*(125,622,000)*	*(-5,000,000)*	.....
Total	(235,718,000)	(242,948,000)	(234,658,000)	(-1,060,000)	(-8,290,000)
Federal Railroad Administration					
Office of the Administrator	14,589,000	15,807,000	13,404,000	-1,185,000	-2,403,000
Local rail service assistance	6,979,000	.....	7,000,000	+21,000	+7,000,000
Railroad safety	31,495,000	36,500,000	34,110,000	+2,615,000	-2,390,000
Railroad research and development	9,489,000	16,984,000	25,212,000	+15,723,000	+8,228,000
Settlements of railroad litigation	.....	3,362,000	3,362,000	+3,362,000	.....
Portion applied to debt reduction	.....	-3,097,000	-3,097,000	-3,097,000	.....
Northeast corridor improvement program	24,442,000	.....	16,000,000	-8,442,000	+16,000,000
Grants to the National Railroad Passenger Corporation:					
Operations	521,111,000	.....	343,080,000	-178,031,000	+343,080,000
Capital	83,574,000	.....	138,920,000	+55,346,000	+138,920,000

Total, Grants to the National Railroad Passenger Corporation	604,685,000	.....	482,000,000	-122,685,000	+482,000,000
Payments on behalf of the National Railroad Passenger Corporation	.....	.....	150,000,000	+150,000,000	+150,000,000
Railroad Rehabilitation and Improvement Financing Funds:					
(Railroad credit enhancement)	*(49,850,000)*	.....	*(32,000,000)*	*(-17,850,000)*	*(+32,000,000)*
Regional rail reorganization program	101,273,000	307,979	307,979	-100,965,021	.....
Portion applied to debt reduction	-94,648,000	-284,979	-284,979	+94,363,021	.....
Conrail commuter transition assistance	4,920,000	.....	5,000,000	+80,000	+5,000,000
Amtrak corridor improvement loans	3,500,000	.....	3,500,000	.....	+3,500,000
(Loan authorization)	*(3,500,000)*	.....	*(3,500,000)*	.....	*(+3,500,000)*
Total, Federal Railroad Administration	706,724,000	69,579,000	736,514,000	+29,790,000	+666,935,000
Urban Mass Transportation Administration					
Administrative expenses	31,809,000	35,402,000	32,770,000	+961,000	-2,632,000
Research, training, and human resources	9,970,000	10,000,000	8,000,000	-1,970,000	-2,000,000
Formula grants	1,625,110,000	1,076,800,000	1,695,000,000	+69,890,000	+618,200,000
Discretionary grants (Highway Trust Fund):					
(Limitation on obligations)	*(1,136,580,000)*	*(1,140,000,000)*	*(1,200,000,000)*	*(+63,420,000)*	*(+60,000,000)*
Mass transit capital fund (Highway Trust Fund)					
(Liquidation of contract authorization)	*(897,300,000)*	*(815,000,000)*	*(815,000,000)*	*(-82,300,000)*	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
Interstate transfer grants - transit	159,520,000	.....	160,000,000	+480,000	+160,000,000
Washington Metro	84,745,000	38,000,000	108,000,000	+23,255,000	+70,000,000
Total, Urban Mass Transportation Administration:					
New budget (obligational) authority	1,911,154,000	1,160,202,000	2,003,770,000	+92,616,000	+843,568,000
(Limitations on obligations)	*(1,136,580,000)*	*(1,140,000,000)*	*(1,200,000,000)*	*(+63,420,000)*	*(+60,000,000)*
Total	(3,047,734,000)	(2,300,202,000)	(3,203,770,000)	(+156,036,000)	(+903,568,000)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	11,375,000	10,749,000	10,500,000	-875,000	-249,000
Research and Special Programs Administration					
Research and special programs	17,158,000	16,723,000	16,300,000	-858,000	-423,000
Pipeline safety (Pipeline Safety Fund)	10,159,000	10,800,000	10,367,000	+208,000	-433,000
Total, Reseach and Special Programs Administration	27,317,000	27,523,000	26,667,000	-650,000	-856,000

Office of the Inspector General					
Salaries and expenses	31,678,000	33,987,000	30,970,000	-708,000	-3,017,000
Total, title I, Department of Transportation:					
New budget (obligational) authority (net)	12,920,250,000	11,739,002,000	12,946,920,000	+26,670,000	+1,207,918,000
Appropriations	(13,039,898,000)	(11,742,383,979)	(12,950,301,979)	(-89,596,021)	(+1,207,918,000)
Appropriations for debt reduction	(-94,648,000)	(-3,381,979)	(-3,381,979)	(+91,266,021)	.....
Rescission	(-25,000,000)	.....	.....	(+25,000,000)	.....
(By transfer)	*(17,448,000)*	*(10,000,000)*	.....	*(-17,448,000)*	*(-10,000,000)*
(Limitations on general operating expenses)	*(233,298,000)*	*(264,470,000)*	*(245,400,000)*	*(+12,102,000)*	*(-19,070,000)*
(Limitations on obligations)	*(14,971,598,000)*	*(14,848,622,000)*	*(17,697,122,000)*	*(+2,725,524,000)*	*(+2,848,500,000)*
(Cumulative limitation on obligations)	*(4,736,000)*	*(4,750,000)*	*(4,750,000)*	*(+14,000)*	.....
(Appropriations to liquidate contract authorizations)	*(15,904,145,000)*	*(16,040,000,000)*	*(16,692,825,000)*	*(+788,680,000)*	*(+652,825,000)*
Total, title I, New budget (obligational) authority, (DoD transfer) and (limitations on obligations)	(27,891,848,000)	(26,587,624,000)	(30,644,042,000)	(+2,752,194,000)	(+4,056,418,000)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
TITLE II - RELATED AGENCIES					
Architectural and Transportation Barriers Compliance Board					
Salaries and expenses	1,936,000	2,100,000	2,700,000	+764,000	+600,000
Commission on Aviation Security and Terrorism					
Salaries and expenses	1,000,000	.....	.....	-1,000,000	.....
National Transportation Safety Board					
Salaries and expenses	27,232,000	30,940,000	30,940,000	+3,708,000	.....
Interstate Commerce Commission					
Salaries and expenses	44,205,000	43,777,000	45,369,000	+1,164,000	+1,592,000
Payments for directed rail service (limitation on *obligations*)	*(475,000)*	*(475,000)*	*(475,000)*	.....	.....
Total, Interstate Commerce Commission	(44,680,000)	(44,252,000)	(45,844,000)	(+1,164,000)	(+1,592,000)

Panama Canal Commission					
Panama Canal Revolving Fund:					
(Administrative expenses)	*(49,692,000)*	*(48,941,000)*	*(48,928,000)*	*(-764,000)*	*(-13,000)*
(Limitation on operating and capital expenses)	*(450,649,000)*	.....	*(448,497,000)*	*(-2,152,000)*	*(+448,497,000)*
Department of the Treasury					
Rebate of Saint Lawrence Seaway Tolls (Harbor Maintenance Trust Fund)	10,020,000	10,789,000	10,500,000	+480,000	-289,000
Washington Metropolitan Area Transit Authority					
Interest payments	51,663,569	51,663,569	51,663,569	.....	.....
Total, title II, Related Agencies:					
New budget (obligational) authority	136,056,569	139,269,569	141,172,569	+5,116,000	+1,903,000
(Limitation on obligations)	*(475,000)*	*(475,000)*	*(475,000)*	.....	.....
Total	(136,531,569)	(139,744,569)	(141,647,569)	(+5,116,000)	(+1,903,000)
Grand total:					
New budget (obligational) authority (net)	13,056,306,569	11,878,271,569	13,088,092,569	+31,786,000	+1,209,821,000
Appropriations	(13,175,954,569)	(11,881,653,548)	(13,091,474,548)	(-84,480,021)	(+1,209,821,000)
Appropriations for debt reduction	(-94,648,000)	(-3,381,979)	(-3,381,979)	(+91,266,021)	.....
(By transfer)	*(17,448,000)*	*(10,000,000)*	.....	*(-17,448,000)*	*(-10,000,000)*

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 1990 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR 1991--Continued

Agency and item	New budget (obligational) authority appropriated, 1990 (enacted to date)	Budget estimates of new (obligational) authority, 1991	New budget (obligational) authority recommended in bill	Bill compared with new budget (obligational) authority, 1990	Bill compared with budget estimates of new (obligational) authority, 1991
(1)	(2)	(3)	(4)	(5)	(6)
(Limitations on obligations)	*(14,972,073,000)*	*(14,849,097,000)*	*(17,697,597,000)*	*(+2,725,524,000)*	*(+2,848,500,000)*
(Cumulative limitation on obligations)	*(4,736,000)*	*(4,750,000)*	*(4,750,000)*	*(+14,000)*	.....
(Appropriations to liquidate contract authorizations)	*(15,904,145,000)*	*(16,040,000,000)*	*(16,692,825,000)*	*(+788,680,000)*	*(+652,825,000)*
Grand total, New budget (obligational) authority, (DoD transfer) and (limitations on obligations)	(28,023,379,569)	(26,727,368,569)	(30,785,689,569)	(+2,762,310,000)	(+4,058,321,000)